FINAL DRAFT
November 23, 1981

THE VERDICT

a screenplay by

David Mamet

Property of:

Fox-Zanuck/Brown Productions
156 West 56th Street
Penthouse
New York, N.Y. 10019
(212) 246-7171

"THE VERDICT"

FADE IN

INT. FIRST FUNERAL PARLOR - DAY 1

A working-class funeral in progress. THIRTY PEOPLE and an inexpensive bier SEEN from the back of the hall.

ANGLE

A MAN's back FILLS the SCREEN. He is dressed in a black suit; his hands are clasped behind him. ANOTHER MAN stands next to him. The Second Man reaches behind the First Man's back and puts a discreetly folded ten-dollar bill into his hands.

ANGLE

These Two Men from the front. Both somber, in their early fifties. They begin to walk down the aisle of the funeral parlor.

ANGLE

The WIDOW. A woman in her late fifties sitting by the bier receiving condolences. The Two Men approach her. The First Man (the recipient of the money) speaks:

FUNERAL DIRECTOR
Mrs. Dee, this is Joe Galvin -- a very good friend of ours, and a very fine attorney.

GALVIN
It's a shame about your husband, Mrs. Dee.

The Widow nods.

GALVIN
I knew him vaguely through the Lodge. He was a wonderful man.
(shakes head in sympathy)
It was a crime what happened to him. A crime. If there's anything that I could do to help...

GALVIN removes a business card from his jacket pocket and hands it to her as if he were giving her money. (i.e., "Take it. Really. I want you to have it...") She takes the card. Beat.

GALVIN
(thoughtfully realizes he is usurping her time)
Well...

He shakes her hand and moves on.

INT. COFFEE SHOP - DAY 2

Galvin sitting in the deserted coffee shop in his raincoat. Reading a section of the paper. He picks up his teacup, drinks. Lowers it to the table.

ANGLE - INSERT

Galvin twists tea bag around a spoon to extract last drops of tea. His hand moves to his felt pen lying on the table. He moves his hand to the paper, open at the obituary section. We SEE several names crossed out. He circles one funeral listing.

ANGLE

Galvin sitting, raises cup of tea to his lips. Looks around deserted coffee shop. Sighs.

INT. SECOND FUNERAL HOME AND STREET - AFTERNOON 3

Galvin outside a second funeral home. WORKING-CLASS PEOPLE entering, Galvin enters the home.

ANGLE

Galvin, coming down the aisle toward the front, shrugging himself out of his overcoat, he approaches the BEREAVED WIDOW sitting by the front of the home, he extracts his card from his pocket, starts to speak. He is stopped by the WIDOW'S SON, a hefty man in his mid-forties, who interjects himself between Galvin and the widow.

SON
(of the card)
What is that...?

GALVIN
I...

SON
What the hell is that...

GALVIN
...I was a friend of your fa...

SON
You never knew my father...
(hits card out
of Galvin's hand)
You get out of here, who the
hell do you think you are...

The FUNERAL MANAGER hurries down the aisle, and starts extracating Galvin from the commotion.

Cont.

GALVIN
(to Funeral Manager)
I'm talking to this man...

FUNERAL MANAGER
(to widow)
Excuse me, Mrs. Cleary...

He is manhandling Galvin toward the back of the funeral parlor. The Son calls after him:

SON
Who the hell do you think you are...?

EXT. SECOND FUNERAL PARLOR - AFTERNOON 4

The Funeral Manager and Galvin standing in the cold.

FUNERAL MANAGER
I don't want you coming back here. Ever. Do you understand?

GALVIN
...I was just talking to...

FUNERAL MANAGER
Those are bereaved people in there.

The Funeral Manager gives Galvin a small shove, and goes back to his post at the door, greeting the entering mourners. "Good evening..."

ANGLE

Galvin, the ground cut out from under him. Standing watching the mourners enter.

EXT. SECOND FUNERAL STREET - DUSK 5

Galvin walking down a residential street. He has been walking a while in the cold, snowy night. He stops for a stoplight at a corner, waits for the light although there is no traffic. Lights a cigarette. The light changes. He looks both ways and irresolutely starts across the street. He stops. He checks his watch. He sighs, and starts back in the opposite direction.

INT. O'ROURKE'S BAR - NIGHT 6

Galvin holding forth at the bar of a seedy drinking-man's establishment, THREE DRINKERS, acquaintances, standing around him, appreciative.

Cont.

6 Cont.

GALVIN
Pat says, 'Mike...there's a new bar, you go in, for a half a buck you get a beer, a free lunch, and then take you in the back room and they get you laid.'

The bartender, JIMMY, comes up to Galvin.

JIMMY
Another, Joey...?

GALVIN
(gestures to include group)
...everybody. Mike says, 'Pat, you mean to tell me for a half a buck you get a free lunch and a beer, and then you go in the back and get laid...?' 'That's correct.' Mike says, 'Pat. Have you been in this bar...?' Pat says, 'No, but my sister has...'
(gestures to Jimmy)
Everyone. Buy yourself one, too...

INT. GALVIN'S OFFICE - NIGHT 7

The seedy, disordered small office, Galvin in shirt-sleeves opening a file cabinet. He takes out an armload of files, carries them to a wastebasket and throws them in. He sits on his desk, as if exhausted by his effort, pours from a whiskey bottle into a large water glass, downs the glass. He has been drinking for some time. He starts -- stumbling back to the file cabinet. On the way his eye is caught by his degrees hanging on the wall. He stumbles to them, picks them up and walks over to the wastebasket and throws them in. He goes back to the file cabinet, the phone starts ringing. Galvin lets it ring, continues emptying the files into the wastebasket, tearing some of them up as he does so. He repeats softly to himself, as a litany, "It doesn't make a bit of difference. It doesn't make a bit of difference, it doesn't make a bit of difference..." He starts back to the desk for the bottle, knocks the still-ringing phone off the desk. He pours himself a drink. As he downs it we hear -- softly -- from the phone on the floor: a MAN'S VOICE. "Joe. Joe. Joe...goddamit. Are you there...? Joe..." Galvin pays no attention. Drinks his drink and gazes at the wall -- now empty of degrees.

ANGLE - P.O.V.

The empty wall. Galvin's P.O.V. The telephone heard Voice Over insisting, "Joe..."

INT. GALVIN'S OFFICE ANTEROOM - NIGHT 8

MICKEY MORRISSEY, a man in his late sixties, dressed in suit and overcoat, looking worried, unlocks the door to the dark anteroom. Looks around. Sees something in the next room.

ANGLE - P.O.V.

Galvin asleep on his couch, clothed as before. Covered in his overcoat, the bottle and glass next to the couch on the floor, the sound of the phone off the hook.

ANGLE

Mickey walks into the office. Stands looking at Galvin.

MICKEY
(harshly)
Get up.
(beat, more harshly)
Get up.

Galvin wakes up. Looks around. Swings his legs over the couch. Drinks from the glass. Vacantly:

GALVIN
Hi, Mickey...

MICKEY
What the hell do you think you're doing...?
(surveys the wrecked office)
What's going on here...?

GALVIN
Uh...

MICKEY
Fuck you. I got a call today from Sally Doneghy...

GALVIN
...now who is that...?

MICKEY
...you're 'sposed to be in court in ten days and she's telling me you haven't even met with them...

GALVIN
Now Sally Doneghy, now who is that...?

Cont.

MICKEY
One lousy letter eighteen months ago...I try to throw a fuckin' case your way...

GALVIN
...hey, I don't need your charity...

MICKEY
...I get these people to trust you -- they're coming here tomorrow by the way -- I get this expert doctor to talk to you. I'm doing all your fuckin' legwork -- and it's eighteen months. You're 'sposed to be in court. I bet you haven't even seen the file.

Galvin pours himself a drink.

GALVIN
Hey, what are you, my nanny?

Mickey walks to him, knocks the drink out of his hand and slaps him several times in the face.

MICKEY
Listen to me. Listen to me... listen to me, Joe, 'cause I'm done fuckin' with you. I can't do it any more. Look around you: You think that you're going to change? What's going to change it? You think it's going to be different next month? It's going to be the same. And I have to stop. This is it. I got you a good case, it's a moneymaker. You do it right and it will take care of you. But I'm through. I'm sorry, Joe, this is the end.
(beat)
Life is too short, and I'm too old.

Beat.

Mickey walks out of the office. Slams the door. Beat. Galvin looks around the office. Goes to his sofa. Sits, reaches to side table.

Cont.

ANGLE - INSERT

The side table, a pack of Luckies. Galvin taking one, his hand shaking a little. Also on side table a pile of change containing a small rosary and a wedding ring.

INT. GALVIN'S OFFICE ANTEROOM - INSERT - DAY 9

The carriage of a typewriter. A sheet of paper. Its letterhead reads, "Joseph P. Galvin. Attorney at Law, 124 State Street, Boston, Mass. 02981. Cable JOGAL." Someone is typing, "Sorry I had to go out. Back at 10. Judge Geary called. Are you available for lunch Wednesday University Club?" A hand takes a paper from carriage and puts it on desk. Takes a pen and signs, "Claire."

ANGLE

Galvin in the anteroom, dressed in his suit, unshaved, having just signed the paper. He takes a piece of Scotch tape from the dispenser on the desk, picks up a file folder from the coffee table. It is torn in several places and rudely Scotch-taped.

ANGLE - P.O.V. - INSERT

The file headed Deborah Ann Kaye v. St. Catherine Laboure Hospital et. al.

ANGLE

Galvin surveys the anteroom, opens door to corridor, Scotch tapes the note he has just typewritten to the outside of the door.

INT. O'ROURKE'S BAR - DAY 10

Dark paneling, clean, simple. A drinkers' bar. OLD BARTENDER and THREE CUSTOMERS spaced widely, Galvin in his overcoat downing a shot, the file open before him. He is reading. He checks his watch, scoops the file together under his arm, throws a dollar on the bar, and heads for the door.

INT. NORTHERN NURSING HOME CORRIDOR - DAY 11

Galvin walking tentatively down the corridor of a very run-down nursing home. He receives suspicious looks from the Attendants. He is checking numbers on the doors against a notation in the file. He finds the correct door and enters.

12

INT. NURSING HOME WARD - DAY

The door to the ward from the inside. Galvin opening the door to the dark ward, backlit, tentative, a little unsteadied from his drinking. He puts his back against the door, puts down file and briefcase, extracts a small cheap Polaroid camera from the briefcase, readies it to shoot, picks up his paraphernalia, and starts off down the ward. As he walks down the ward he checks the file hung at the foot of each bed. Galvin stops at the foot of one bed and reads the chart.

ANGLE - P.O.V.

The chart held by Galvin. DEBORAH ANN KAYE, various medical notations. He lowers the chart and we SEE in the bed beyond it a shrivelled, tiny form stuck with needles and tubes.

ANGLE

Galvin replaces the chart, puts his file, briefcase, etc., on the foot of the bed, takes a flash photo of the figure in the bed. Takes another one. Puts down camera, sits on the end of the bed gazing at the unseen form. He lights a cigarette, and sits looking at her.

13

INT. CORRIDOR - GALVIN'S OFFICE BUILDING - DAY

SALLY DONEGHY. A mousey woman in her forties is standing by a door on which is written, "Joseph P. Galvin. Attorney at Law."

GALVIN
I'm...Mrs. Donegby? I'm Joseph Galvin...why didn't you go in?

SALLY
It's locked.

GALVIN
(astonished)
It's locked?

Sally Donegby points to the note on the door. Galvin takes it from the door. Reads. "Back at 10, Judge Geary. Lunch..."

GALVIN
I'm terribly sorry...I hope we didn't put you out. Won't you come in...?
(motions Sally into inner office, gestures with note)
I'd offer you some coffee, but it looks like my girl just went out.

INT. OFFICE ANTEROOM - DAY 14

Galvin is perched at his secretary's desk. Sally Donegby across from him by the coffee table listening intently.

GALVIN
It's not a good case. It's a very good case. A healthy young woman goes into the hospital to deliver her third child, she's given the wrong anaesthetic...

SALLY
...we, we love her, Dick and me...

GALVIN
...I'm sure you do...

SALLY
But what can we do? She don't know who's visiting her...

GALVIN
...I know. I went...

SALLY
...you saw her?

GALVIN
Yes. Yes, I have.

Beat.

SALLY
You know how beautiful she was?
(beat)
Her husband left her, and he took her kids...They, they, they, they'd let you die in there. They don't care. Nobody cares. The Patriot Home, the Chronic Care ...in Arlington...? They'd take her in. Perpetual Care. They'd take her. Fifty thousand dollars they want. An endowment.

Cont.

14 Cont.

GALVIN
...fifty thousand dollars?

SALLY
I don't want to leave her. Dick...the, the...and Father Laughlin, he said that it was God's will...

GALVIN
...I understand...

SALLY
My doctor told me that I got to move out West...that's when we filed in court. We didn't want to sue...

GALVIN
...I understand...

SALLY
...But Dick, he's looking for two years in Tucson...and they called him up and said to come out. He's a good man. He's only trying to do what's right.

The door to the corridor opens and DICK DONEGHY, a workingman in his forties, comes into the room. Sally and Galvin stand.

SALLY
This is my husband.

Donegby and Galvin shake hands uncomfortably. He motions the two to sit.

GALVIN
Please sit down. I told your wife. I'm sorry that we have to meet out here. I've got a case coming in two days in the Superior Court and my office is a mess of papers...

DONEGHY
...that's all right.

Cont.

GALVIN
I was telling your wife, we have a very good case here.

SALLY
...he saw her at the Northern Care...

GALVIN
...and I have inquiries out to doctors, experts in the field ...there is, of course, a problem getting a doctor to testify that another doctor's negligent...

DONEGHY
...the Archdiocese called up, they said who was our attorney, 'cause the case is coming to trial...

GALVIN
I doubt we'll have to go to trial...

DONEGHY
...we told them we didn't want it to come out this way.

GALVIN
I completely understand...

DONEGHY
We just...

SALLY
We just can't do it anymore.
(beat)
This is our chance to get away.

GALVIN
I'm going to see you get that chance.

DONEGHY
What is this going to cost?

GALVIN
It's completely done on a contingency basis. That means whatever the settlement is I retain one-third...that is, of course, the usual arrangement...

INT. BISHOP BROPHY'S SUITE - INSERT - DAY 15

Yellowed newspaper clipping, a very lovely, patrician woman in her twenties smiling at a well-turned-out Galvin around thirty. Headline: "Patricia Harrington to Wed."

ALITO
(voice over)
'His name is Joseph Galvin.
B.U. Law, class of 'fifty-two.
Second in his class. Editor
of the Law Review. Worked
with Mickey Morrissey twelve
years. Criminal Law and
Personal Injury...'

A hand turns a page and reveals a second clipping: "Boston Lawyer Held in Jury Tampering Case," with a picture of a very confused Galvin at around forty-five being led to jail.

ALITO
(voice over)
'Married Patricia Harrington,
nineteen sixty...'

ANGLE

The small, sumptuously appointed Italianate office. French windows, a fire in the grate, a view of Boston Common, JOSEPH ALITO, a slender, elegant man in his forties dressed in a very expensive suit, reading from his notes, news clippings, etc., which are held in a leather folder.

ALITO
'Joined Stearns, Harrington,
Pierce nineteen sixty as a
full partner. Resigned the
firm nineteen sixty-nine over
the Lillibridge case...'
Do you...?

Alito, strolling as he reads, moves toward the windows with his file TO REVEAL BISHOP BROPHY, a self-contained man in his early sixties, sitting on a leather couch, listening.

BISHOP
He was acused of jury tampering.

Cont.

ALITO
Accused. Not indicted. He resigned the firm. Divorced nineteen seventy. Galvin worked with Michael Morrissey until Morrissey retired in 'seventy-eight. Since then he's been on his own. Four cases before the Circuit Court. He lost them all. He drinks.

BISHOP
Four cases in three years...

ALITO
The man's an ambulance chaser...

BISHOP
...tell me about this case.

ALITO
This is a nuisance suit. He's looking for small change. He's asking for six hundred thousand and betting we don't want to go to court.

BISHOP
No -- we don't want this case in court.

ALITO
Neither does he. That's where he loses. This man's scared to death to go to court. We only have to call his bluff.

BISHOP
I want to settle this thing and be done with it. I don't want the Archdiocese exposed...

ALITO
No. Absolutely, and we're going to see that it is not.

Cont.

BISHOP
So what I want to do is stop it here. I'm going to make him an offer. I want to do it myself. I want it to come from me.

ALITO
All right. But let's keep the price down. I've called Ed Concannon. He recommends that we continue to respond as if we're going to trial.

The Bishop nods, meaning, "You are dismissed." As an afterthought:

BISHOP
If we were to go to trial, would we win the case?

ALITO
Well, of course, it's always dangerous...

BISHOP
I know that answer. If we went to trial would we win?

ALITO
(in an "of course" tone)
Yes.

Alito, preparing to leave, reaches to the Bishop's desk, where he has laid his leather folder.

ANGLE

The clipping in the folder, confused Galvin being led into jail, "Boston Lawyer Held in Jury Tampering Case." Alito's hand snaps the folder shut.

INT. GALVIN'S OFFICE BUILDING CORRIDOR - DAY 16

A man's arms full of textbooks. Prominently displayed: "Methodology and Practice in Anesthesiology." The man stops, fumbles for a key in his pocket.

ANGLE

Galvin, in his overcoat, arms full of books, reading from a textbook and trying to unlock his office door.

INT. OFFICE 17

Galvin entering. CLAIRE PAVONE, a woman in her fifties, at the secretary's desk, hanging up the phone.

CLAIRE
(to phone)
Thank you very much.

Galvin looks up at her in surprise.

GALVIN
What are you doing here?

CLAIRE
Mickey told me to come back to work.

Galvin nods, proceeds into his office, reading from the textbook Claire follows him into the office.

CLAIRE
...here's your mail, call Mrs. Donaghy...

GALVIN
...yes. Get her on the phone...

CLAIRE
...that was a Dr. David Gruber's office...

GALVIN
(putting down books)
Gruber...

CLAIRE
Mickey told him to call.
(reading from notes)
'He's some very hotshot surgeon at Mass. Commonwealth. He wants to meet with you at seven tonight re testimony in the case of Deborah Ann Kaye. You meet him at the hospital.'

She hands him typed memo slip.

GALVIN
(surprised)
...he wants to testify...?

CLAIRE
It looks that way.

Cont.

GALVIN
You know what that would mean? To get somebody from a Boston hospital to say he'll testify?

CLAIRE
...a Mrs. Doneghy called...I told you that.

Phone rings. Claire moves to it.

GALVIN
(delighted)
...this is going to drive the ante up...

CLAIRE
(into phone)
Joseph Galvin's...who's calling please? Bishop Brophy's office...

She gestures to Galvin, "Do you want to talk to them?" Galvin gestures back, "No. I'm not in..."

CLAIRE
I'm sorry, he's not in...may I take a mess...tomorrow when, two o'clock...I'll check my book...

She looks to Galvin, who nods, "yes."

CLAIRE
Yes. Mr. Galvin's clear at that time...the Bishop's office, tomorrow, the fifth at two p.m. Thank you...

She hangs up.

GALVIN
That's the call that I'm waiting for.

CLAIRE
What does it mean?

GALVIN
They want to settle.
(beat)
It means a lot of money.

CLAIRE
Does that mean I'm back for awhile.

INT. GRUBER'S HOSPITAL CORRIDOR - INSERT - NIGHT 18

Man's wrist. W.W.II G.I. watch reads: 6:56.

ANGLE

Galvin in overcoat standing outside door marked "Doctors Only" in bustling hospital corridor. He glances at memo slip in his hand. He opens door. CAMERA FOLLOWS him into:

INT. GRUBER'S DOCTORS LOCKER ROOM - NIGHT 19

Carpeted, small, comfortable, lined in lockers. A DOCTOR, on the phone in greens, smoking a cigarette, talking on the phone softly, a couple of DOCTORS sitting, drinking coffee, chatting. Galvin, a trifle nervous, to Doctor ON PHONE:

GALVIN
Dr. Gruber...?

The Doctor on the phone gestures behind him to a thirty-ish MAN in blue jeans smoking a cigar, changing at his locker. Galvin walks over to him.

GALVIN
Dr. Gruber...

GRUBER
(turning)
Yes? Galvin, right?

He checks his watch, continues changing into suede jacket, checks next appointment on a leather appointment book, locks the locker, pockets key.

GALVIN
I appreciate...a man as busy as your...

GRUBER
That's perfectly all right. I'm kind of rushed. Do you mind if we walk while we talk?

Gruber, Galvin following, talk while exiting locker room.

INT. GRUBER'S HOSPITAL CORRIDOR - NIGHT 20

GRUBER
I read the hospital report on your client.

GALVIN
...Deborah Ann Kaye...

Cont.

GRUBER
...Deborah Ann Kaye...

They walk hurriedly through hospital corridor, to an EXIT door and down concrete stairs.

INT. GRUBER'S HOSPITAL STAIRS - NIGHT 21

GALVIN
They called, they're going to settle, what I want to do is build up as much...

GRUBER
Right. Who called?

GALVIN
The Archdiocese called, they want to settle...her estate...

GRUBER
...and you're going to do that?

GALVIN
(surprised, of course)
Yes.

GRUBER
You're going to settle out of court...?

Gruber stops at the bottom of the stairs, beside an exit to the outside.

GALVIN
Yes.

GRUBER
Why?

A beat.

GALVIN
(it's a meaningless question to him, as if to a child)
Uh...in the, well, in the interests of her family...you, Dr. Gruber, you know, you can never tell what a jury is going to do. St. Catherine's a very well thought of institution. Her doctors...

Cont.

GRUBER
(glances at watch, impatient)
Her doctors killed her.

A beat.

GALVIN
I'm sorry...?

GRUBER
Her doctors murdered her. They gave her the wrong anaesthetic and they put her in the hospital for life.
(beat)
Her doctors murdered her.

GALVIN
Do you know who her doctors were...?

GRUBER
I read the file. Yeah. Marx and Towler. I know who they were.

GALVIN
The most respected...

GRUBER
(smiling)
Whose side are you arguing...? I thought that you wanted to do something. I don't have any interest in the woman's 'estate' -- No offense, but we all know where the money's going to... I have an interest in that Hospital; and I don't want those bozos working in the same shop as me. They gave her the wrong anaesthetic. They turned the girl into a vegetable. They killed her and they killed her kid. You caught 'em. Now: how many others did they kill?

Cont.

A beat. Gruber discards end of a cigar. Takes a leather case from his suede jacket, extracts a new cigar. Offers one to Galvin.

GRUBER
You want a cigar?

Galvin takes one absently.

GALVIN
The hospital is owned by the Archdioceses of...

GRUBER
What are they going to do? Not invite me to their Birthday party...?
(checks watch)
Look, I gotta go. I have to be in Cambridge...

Galvin, excited, is trying to light the cigar. His hand shakes badly. He has forgotten to bite off the end. He bites it, lights the cigar.

GALVIN
Well, well, when can we meet again. I'd like to get a deposition...

GRUBER
Okay. I'll meet you here. Tuesday night...I gotta go. You going my way?

Galvin shakes his head.

EXT. GRUBER'S HOSPITAL PARKING AREA - NIGHT 22

Gruber opens door and walks out into the cold, into the parking lot, followed by Galvin, who is lighting his cigar.

GALVIN
We have to...we...we have to keep you under wraps. Please don't, don't discuss...

Cont.

GRUBER
I understand.

GALVIN
...the case with anyone. And I'll meet you Tuesday, and we'll go over your testimony...

They stop before a 1950s very beautiful small Mercedes Sedan. Gruber opens the door, gets into the plush red leather interi starts car, leaves door open, still talking to Galvin.

GRUBER
Right. Seven o'clock. Here.

Galvin scribbles information in his appointment book.

GALVIN
Thank you...

GRUBER
...that's perfectly all right.

GALVIN
(beat)
Uh, why, why are you doing this?

GRUBER
(thinks a second)
To do right. Isn't that why you're doing it?

INT. O'ROURKE'S TAVERN - NIGHT 23

Galvin is at the bar, smiling to himself. His drink is being refilled. To BARTENDER:

GALVIN
I want to buy you a drink.

JIMMY (THE BARTENDER)
Thanks, Joey.

Galvin looks around. A very attractive self-possessed YOUNG WOMAN is sitting in the crook of the bar across from him; she is intently perusing the newspaper and circling items with a felt pen. Galvin speaks to her:

GALVIN
Would you like a drink?

Cont.

She looks up. Smiles.

WOMAN
I'd like an apartment.

GALVIN
Settle for a drink?

She gestures at her own full glass in front of her.

WOMAN
No. Thank you.

Galvin shrugs.

GALVIN
I had a very good day today.

WOMAN
(beat, smiles, downs drink, gets up off the stool, sincerely)
I'm glad you did. Thank you. Good night.

GALVIN
You're very welcome.

He watches her as she leaves the bar. He turns back to his drink.

GALVIN
Well, well, well. Huh?

JIMMY
Yeah.

GALVIN
(sighs)
It's a long road that has no turning.

JIMMY
That's for sure, Joe.

INT. GALVIN'S APARTMENT - NIGHT 24

A shoddy one-and-a-half room bachelor apartment. Galvin, beer and cigarettes on the table beside him. He is sitting on an armchair in the bedroom. A yellow legal pad in his lap.

Cont.

He is talking on the phone softly, soothingly.

GALVIN
Our only protection is the law ...I know, but under the law we're all equal...not at all. Not at all. You'd do the same for me if you could...as soon as I know...tomorrow afternoon. I'm going there at two...I know you don't. I know you don't... no, you're just following your life. You have a life too... you have to move out West. It doesn't help you to stay here ...I'm sure she knows you care for her.

His attention wanders to the legal pad in his lap.

ANGLE - P.O.V.

The legal pad. Spread on it a couple of Polaroids of Deborah Ann in the nursing home. Below them, written on the pad, large, "Dr. David Gruber. Ass't. Chief Anaesthesiology, Mass. Commonwealth. 'They killed her. And they killed her kid -- Her doctors murdered her.'"

The following figures are written on the pad:
$150,000.00 written very large, circled, crossed out.
$250,000.00 similarly circled and crossed out.
$225,000.00 circled many times.

GALVIN
(voice over; on phone)
Well. Well. Well. Finally we're none of us protected...we...we just have to go on. To seek help where we can...and go on...I know that you love her...I know you're acting out of love.

ANGLE - GALVIN ON THE PHONE

GALVIN
(into phone)
As soon as I know...you give him my respects too. Not at all. Not at all...Good night.
(beat)
Well, bless you, too. Good night.

24 Cont

He bangs up phone, sighs. Lights a cigarette. Rotates his neck to loosen it up. Reaches to the table next to his bed for the bottle to pour a drink.

ANGLE - INSERT

His hand reaching for the bottle. On the table the photo of a very beautiful blonde woman in a silver frame. She is the same woman we saw earlier in the newsclip. She is on the deck of a sailboat, laughing. A pile of change on the table, a money clip, a rosary, and the wedding ring in the pile of change.

ANGLE

Galvin looking at the photo in the silver frame next to his bed. He sighs deeply. Beat. Reaches up to the lamp above his head and turns it off. He sits stiffly in the dark a moment, then lets his head fall back to the chair.

INT. NORTHERN NURSING HOME WARD - DAY

25

Galvin, spruced up a bit, sitting on a bed, his briefcase on his lap. Gazing at the unseen Deborah Ann Kaye in the dark ward. Silent. Beat. He looks in his briefcase, takes out a file.

ANGLE - P.O.V. - INSERT

The file, labeled Deborah Ann Kaye. Galvin extracting the photo of the young mother romping with her two children; he takes the yellow legal pad from his briefcase and puts it on top of the picture (the figures crossed out; "Her doctors murdered her," etc.).

We hear the door to the ward open and TWO IRISH WOMEN gossiping.

IRISH NURSE #1
(voice over)
Jimmy, I said, don't you go in your pocket if there's nothing there...

IRISH NURSE #2
(voice over)
...and what did <u>he</u> say...?

Cont.

IRISH NURSE #1
(voice over; spies Galvin, her tone changes)
Sir...Sir...Sir, you aren't allowed to be in here...

ANGLE

Galvin sitting on the bed looking at Deborah Ann. He looks up to the speaker. A slovenly Irish Nurse, who has come into the room and is standing by him. The other Nurse is framed in the doorway. Galvin is lost in thought.

GALVIN
What?

NURSE
You can't be in here.

GALVIN
(as if remembering something, simply)
I'm her attorney.

INT. BISHOP BROPHY'S OFFICE - DAY 26

The Bishop from the waist up, sitting behind his beautiful desk. Compassionately:

BISHOP
It's a question of continuing values. St. Catherine's -- to do the good that she must do in the community has to maintain the position that she holds in the community. So we have a question of balance. On the one hand, the reputation, and, so, the effectiveness of our hospital, and two of her important doctors -- and, on the other hand, the rights of your client.

ANGLE

Galvin seated across from the Bishop. A YOUNG PRIEST seated, discreetly, attentively, across the room. Sherry glasses in front of Galvin and the Bishop. Galvin drinking from his.

Cont.

GALVIN
(impassive)
Yes.

BISHOP
A young woman. In her prime... deprived of...
(searches for a word)
...life...sight...her family... It's tragic. It's a tragic accident. And the only sense that we can make of it is to know that it is beyond our understanding.
(beat)
...and what she might have been ...That is the saddest part of all...

Galvin has been dreaming.

GALVIN
I'm sorry...?

BISHOP
We'll never know what she might have been.

GALVIN
She might have been someone who had a life...

BISHOP
...and nothing, of course, can begin to make it right. But we must do what we can. We must do all that we can.

He gestures to the Young Priest, who crosses the room, extracts a sheet from a file folder, and places it before Galvin, who is sitting as if in a dream. The Bishop waits a beat, not wanting to interrupt Galvin's reverie, then catches his eye and gestures down at the paper. Galvin glances down.

INSERT

The sheet: "I, Joseph P. Galvin, duly appointed conservator for Deborah Ann Kaye, in consideration of Two Hundred Ten Thousand Dollars ($210,000.00) paid in hand to me this day by St. Catherine Laboure Hospital do hereby release from any and all claims..."

Cont.

ANGLE

Galvin and the Bishop as before. Galvin finishes reading, looks up.

BISHOP
Yes. We must try to make it right.

Beat. Galvin nods. Beat. Bishop nods discreetly to the Young Priest who extracts MontBlanc fountain pen from his pocket, holds it out to Galvin.

BISHOP
It's a generous offer, Mr. Galvin...
(beat)
...nothing can make the woman well
...but we can try to compensate...
to make a gesture...

GALVIN
How did you settle on the amount?

BISHOP
We thought it was just.

GALVIN
You thought it was just.

BISHOP
Yes.

GALVIN
...because it struck me how neatly 'three' went into the amount. Two Hundred Ten Thousand. That would mean I would keep seventy.

BISHOP
That was our Insurance Company's recommend...

GALVIN
Yes. It would be.

A beat.

BISHOP
Nothing that we can do can bring that woman back to health.

GALVIN
No one will tell the truth.

Cont.

BISHOP
What is the truth?

GALVIN
That that poor girl went in and put her trust in the hands of two men who took her life. That now she's in a coma and her life is gone. She has no family, she has no home, she's tied to a machine, she has no friends -- and everyone who should care for her: her Doctors, and you, and me, has been bought off to look the other way. We have been paid to look the other way. I came in here to take your money.
(beat)
I came in here with snapshots to show you. So I could get your money.
(to Young Priest, waving away document)
I can't take it. If I take it. If I take that money I'm lost. If I take it I'm just going to be a rich ambulance chaser.
(beat; pleading for understanding)
I can't do it. Can you understand?

YOUNG PRIEST
If we may discuss money, Mr. Galvin. How is your law practice?

GALVIN
It's not too good. I've only got one client.

HOLD.

INT. LAWYERS ROOM AND CORRIDOR - DAY 27

Galvin, determined, coming down a corridor in the Courthouse, opens a door. CAMERA FOLLOWS him IN. The Lawyers Room. Ten or twelve AMBULANCE CHASERS waiting for clients. They all look up as he enters, then return to their reading, phones, card games. CAMERA FOLLOWS him TO the corner of the room where MICKEY MORRISSEY is playing Gin with a CRONY.

GALVIN
I have to talk to you.

Cont.

27 Cont.

MICKEY
What do you want?

GALVIN
(dragging him up)
Come on. Let's get a drink.

MICKEY
(sighs, to partner)
Don't touch anything.

Galvin leads Mickey out of the room.

INT. FIRST CORRIDOR COURTHOUSE - DAY 28

Mickey and Galvin silhouetted against a window at the end of the dark corridor, arguing.

MICKEY
(enraged)
Are you out of your mind...?

GALVIN
...I'm going to need your help...

MICKEY
You need my help...? You need a goddam keeper...are you telling me that you turned down two-hundred-ten grand?
(beat)
Huh...? Are you nuts? Eh? Are you nuts. What are you going to do, bring her back to life...?

GALVIN
I'm going to help her.

MICKEY
To do what...? To do what, for chrissake...? To help her to do what? She's dead...

GALVIN
They killed her. And they're trying to buy it...

MICKEY
That's the point, you stupid fuck. Let them buy it. We let them buy the case. That's what I took it for. You let this drop -- we'll go up to New Hampshire, kill some fuckin' deer...

Cont.

He turns away.

GALVIN
Mick. Mick. Mick...

MICKEY
What?

GALVIN
You -- Listen: you said to me, 'if not now, when...'

MICKEY
...I don't know what you're talknabout...

GALVIN
...and then I've got this case; and this girl's screaming out for someone to stand up. And it's me, Mick. It's me. And I'm going to tell you what else, all right? I can win it. I can win this case.

MICKEY
You won it. Joey. You won it; when they give you the money, that means that you won. We don't want to go to court -- is this getting to you...? You know who the attorney is for the Archdiocese, Eddie Concannon.

GALVIN
...he's a good man...

MICKEY
...he's a good man...? He's the Prince of Fuckin' Darkness... he'll have people in there testifying that the broad is well -- they saw her Tuesday on a surfboard at Hyannis...don't fuck with this case...

GALVIN
...I have to stand up for her...

Cont.

28 Cont.1

MICKEY
Joe, but not now. Joe. You're trying to wipe out some old business. But not now. I understand. But you go call 'em back. You call the Bishop back.

GALVIN
I have to try this case. I have to do it, Mick. I've got to stand up for that girl. I need your help.
(beat)
Mick, will you help me...?
(beat)
Will you help me...?

INT. CONCANNON OFFICES CORRIDOR - DAY 29

A young ATTORNEY in shirt-sleeves and vest racing through a huge, ultra-modern, ultra-successful legal office. The office is near empty. A couple of secretaries are at their desks, a couple of lawyers at their cubicles. The CAMERA FOLLOWS the Attorney tearing through the corridors of the office, up a spiral staircase, through yet more office space, into:

INT. CONCANNON CONFERENCE ROOM - DAY 30

...a conference room. Mahogany, tinted glass, a panoramic view of Boston. Twenty-five attorneys, male and female, mostly young, gaze at the young Attorney as he enters the room. He stops running. He approaches the front of the room tentatively. Standing at the blackboard in front of the conference room is EDWARD CONCANNON. Senior partner of the firm, late fifties, imposing, he radiates success. As the young Attorney approaches Concannon he is stopped with a gesture. Concannon addresses the room.

CONCANNON
(smiling)
Anybody ever bear, 'For want of a shoe a horse was lost?' Who's going on vacation tomorrow?

A young MAN raises his hand.

CONCANNON
Friedman. St. Barts. Is that right?

FRIEDMAN
Yessir.

Cont.

CONCANNON
(to secretary taking notes at the side of the room)
Send Mrs. Friedman a dozen roses tomorrow morning please, Sal. I tell you what, send her a sunlamp.
(smiles, there is laughter from the room; to Friedman, sympathetic)
I'm sorry, but you'll have to stay. No vacations till this thing is cleared.

Concannon motions to the young Attorney who has run in. The young Attorney goes to Concannon and hands him a box of chalk. Concannon takes a piece and writes on the blackboard "Jan. 12th." He underlines it heavily.

CONCANNON
Our court date is January twelfth. You're all acquainted with this case. It's been scheduled for eighteen months. We have the attorney for the Plaintiff, Joseph Galvin -- and I trust you are all familiar with his record -- and we have been expecting him to call us to negotiate. As he did not, and five days before we're supposed to go to court we made him a rather generous offer, which he refused. Five days before the trial. What does this mean? I want to find out.
(writes on the blackboard, "1) Research")
A report is in progress on Galvin. I want our information on the Plaintiff's family, that's her executors, updated, and I want you to know these people as you would yourselves.
(writes "2) Homework")
Acquaint yourselves again with the depositions. Don't rely on the fact that we did it last year. Do it again. We're going to review them here, and you do it at home. You each have a full file. Know the depos, and I want you all to be here when we work with the defendants... when is that, Billy...?

The young Attorney responds.

YOUNG LAWYER (BILLY)
Tuesday evening, Sir.

Concannon writes on blackboard, "3) Public Awareness."

CONCANNON
I want an article in the Globe As Soon As Possible, 'St. Cat's ...Neighborhood Giant serving the community...' etc. We've got it in the files. I want something in Monday's Herald: 'Our Gallant Doctors,' something...If you can find the anniversary of some anaesthetic, something, get it in. Be inventive, I want television...
(nods toward one of the young lawyers)
...talk to our man at G.B.H. And to belabor the obvious for a moment...
(beat)
Our clients are: The Archdiocese of Boston; St. Catherine Laboure Hospital, and Drs. Marx and Towler, two of the most respected men in their profession. The thrust of this defense will be to answer in court, in the press and in the public mind -- to answer the accusation of negligence this completely: not only that we win the case, but that we win the case so that it's seen that the attack on these men and this institution was a rank obscenity.
(beat)
All right. Let's get the cobwebs off. Billy...?

The young Lawyer stands as Concannon sits, listening.

YOUNG LAWYER (BILLY)
Please turn to your Page Four.

All the lawyers in the office turn in their files to that page.

Cont.

30 Cont

YOUNG LAWYER (BILLY)
We're going to start with a review of the depositions of the Operating Room Team: The nurse-anaesthetist, the scrub-nurse, the...

INT. LAW LIBRARY - NIGHT

31

Galvin and Mickey at a library table piled with books. A dingy, dusty law library. They are smoking, speak in undertones, referring to the yellow legal pads in front of them, Rehashing material.

MICKEY
Who have we got?

GALVIN
We've got her sister. Testifies she had a meal one hour before she was admitted to the hospital. This is the point.

MICKEY
You got the admittance form says patient ate nine hours prior to admittance.

GALVIN
Admittance form is wrong.

MICKEY
Forget it. You can't prove it. Sister's testimony is no good. Jury knows we win she gets the cash.

GALVIN
I've got my Dr. Gruber, says her heart condition means they gave her the wrong anaesthetic anyway, plus she came in complaining of stomach pains...

MICKEY
(conceding)
...Gruber's not bad.

Cont.

GALVIN
Not bad...? This guy's Dr. Kildare, the jury's going to love him, Mick...

MICKEY
And you calm down, all right? Their guy, Towler's, the author of the book,
(bunts for book on desk, and holds it up; reads)
'Methodology and Practice, Anaesthesiology.'
(rummages through a pile of papers on the desk)
...and they got depositions from the nurses, everybody in the operating room, the scrub-nurse...'All these guys are God. I saw them walk on water...'

GALVIN
(checking a list)
They had an obstetrical nurse in there. We got a deposition from the obstetrical nurse?

MICKEY
(checking list)
No.

GALVIN
(reading from pad)
'Mary Rooney, forty-nine. Lives in Arlington, still working at the hospital.' Can you get out tomorrow? Talk to her? How come she isn't speaking up.

MICKEY
Right.

GALVIN
Okay now. Cases:
Smith versus State of Michigan.

Cont.

31 Cont.

MICKEY
Right.

GALVIN
Brindisi versus Electric Boat.

MICKEY
You got a good memory, Joey.

GALVIN
I had a good teacher.
McLean versus Urban Transport...

INT. O'ROURKE'S PUB - NIGHT 32

Galvin and Mickey entering the bar, walk over to the bar. Galv sees something o.s. Call to the bartender.

GALVIN
Jimmy? Bushmills.
(turns to Mickey, whispers)
Lookit, do me a favor. I'll buy you a drink tomorrow.

MICKEY
Yeah? And what are you going to do tonight?

GALVIN
I'm going to get laid.

Galvin motions with his head down at the end of bar.

ANGLE - P.O.V.

The Woman from last night, sitting in her same place at the end of the bar.

Mickey looks at her. Shrugs. Gets up off the stool.

MICKEY
Don't stay up too late.

He salutes, walks off.

Galvin takes his drink and moves down to her.

GALVIN
D'you find an apartment?

LAURA
Still looking.

Cont.

GALVIN
I changed my life today. What did you do?

LAURA
I changed my room at the Hotel.

GALVIN
Why?

LAURA
The TV didn't work.

GALVIN
What Hotel are you staying at?

LAURA
And what are you? A cop?

GALVIN
I'm a lawyer.

LAURA
My ex-husband was a lawyer.

GALVIN
Really. How wonderful for you.

LAURA
Yes. It was, actually.

GALVIN
Oh, actually it was. Then why'd you call it off?

LAURA
Who says that I'm the one that called it off?

GALVIN
A brick house says you divorced him. I'll put you on your honor. Bet you a hundred dollars against you join me for dinner. And I'll take your word for it. Now you tell me the truth. Because you cannot lie to me. What's your name?

Cont.

32 Cont.

LAURA
Laura.

GALVIN
My name's Joe. And furthermore, you came back to see me tonight.

LAURA
What if it wasn't you that I came back to see?

GALVIN
You just got lucky.
(gets up off stool)
D'you eat yet? Come on.

She gets up from the stool and starts following him in spite of herself.

GALVIN
Jesus, you are one beautiful woman.

INT. O'ROURKE'S - NIGHT (LATER) 33

Galvin and Laura are in a booth. The remains of a dinner and drinks around them. They are both smoking cigarettes, intent on each other. Both a little drunk.

GALVIN
The weak, the weak have got to have somebody to fight for them. Isn't that the truth? You want another drink?

LAURA
I think I will.

Galvin motions "another round" to the bartender.

GALVIN
Jimmy!
(beat)
That's why the court exists. The court doesn't exist to give them justice, eh? But to give them a chance at justice.

Cont.

33 Cont.

LAURA
And are they going to get it?

GALVIN
They might. Yes. That's the point...is that they might... you see, the jury wants to believe. They're all cynics, sure, because they want to believe. I have to go in there tomorrow to find twelve people to hear this case. I'm going to see a hundred people and pick twelve. And every one of them it's written on their face, 'This is a sham. There is no justice...' but in their heart they're saying, 'Maybe...maybe...'

LAURA
Maybe what?

GALVIN
(beat)
Maybe I can do something right.

LAURA
And is that what you're going to do?
(a beat)
Is that what you're going to do...?

GALVIN
That's what I'm going to try to do.

INT. GALVIN'S APARTMENT - NIGHT 34

The bedroom, dark, sound of people moving, the bedside light is flicked on. We SEE Galvin in shirt-sleeves, holding a whiskey glass a little unsettled, turning on the light, Laura, with a glass, also a bit unsteady, standing beside him. Both awkward. He looks at her, turns back to the bed, turns down the bed, sees the silver-framed picture of his wife, he looks back at Laura, starts to take the picture to turn it down.

LAURA
That's all right.

She starts taking off her blouse.

INT. COURTHOUSE BAR - INSERT - DAY 35

A half-full old-fashioned glass.

ANGLE

Galvin sitting at the fairly well-appointed bar, still. He looks out of the window at a building across the street.

EXT. COURTHOUSE - P.O.V. SHOT - DAY 36

The courthouse across the street.

INT. COURTHOUSE BAR - DAY 37

Galvin glances at bar clock.

ANGLE - P.O.V.

The clock reads 10:12.

ANGLE

Galvin downs his drink, picks up his briefcase off of the bar and starts for the door.

INT. JUDGE SWEENEY'S CHAMBERS - DAY 38

JUDGE SWEENEY, a florid man in his sixties, sitting in shirt-sleeves eating bacon and eggs off of a hotel service on a tray, talking conspiratorially with Ed Concannon, who is drinking coffee, seated across the desk. They are obviously old friends. The sound of a door opening. They turn their heads to the door.

ANGLE - P.O.V.

Galvin standing in the door.

JUDGE
(voice over)
You're late, Mr. Galvin.

He enters the room. CAMERA FOLLOWS him as he sits next to Concannon.

GALVIN
Yessir. I'm sorry.

JUDGE
Why is that?

Cont.

38 Cont.

GALVIN
I was held up.

Concannon smiles and extends his hand.

CONCANNON
Ed Concannon.

GALVIN
(shaking his head)
Joseph Galvin. We've met before.

As the Judge starts to speak Galvin cannot help looking at Concannon out of the corner of his eye.

JUDGE
Let's do some business.

ANGLE - P.O.V. GALVIN

Concannon, brisk, expensive-looking, tanned, huge gold watch, custom-made suit.

JUDGE
(voice over)
They tell me that no bargain ever was completed other than quickly when both parties really cared to make a deal.

Concannon feels Galvin's eye on him, half-turns, smiles.

ANGLE - THE JUDGE, CONCANNON, GALVIN

JUDGE
Now, have you boys tried to resolve your little difficulty because that certainly would save the Commonwealth a lot of time and bother.

GALVIN
This is a complicated case, your Honor...

JUDGE
I'm sure it is, Joe: and let me tell you something. If we find it so complex, how in the hell you think you're going to make a jury understand it?

Cont.

38 Cont.

JUDGE (Cont.)
(smiles at Galvin)
See my point? Let's talk a minute. Joe: what will you and your client take right now this very minute to walk out of here and let this damn thing drop?

GALVIN
My client can't walk, your Honor.

JUDGE
I know full well she can't, Joe. You see the Padre on your way out and he'll punch your ticket. You follow me? I'm trying to help you.

CONCANNON
Your Honor, Bishop Brophy and the Archdiocese have offered Plaintiff two hundred and ten thousand dollars.

JUDGE
Huh!

CONCANNON
My doctors didn't want a settlement at any price. They wanted this cleared up in court. They want their vindication. I agree with them. But for today the offer stands. Before we begin the publicity of a trial. For today only.
(beat)
When I walk out that door the offer is withdrawn.
(turns to Galvin)
As long as you understand that.
(beat)
It's got to be that way.

GALVIN
We are going to try the case.

A beat.

Cont.

Galvin fumbles for a cigarette. The three sit in silence.

JUDGE
(incredulous)
That's it...?
(beat)
Come on, guys...life is too short...
(beat)
You tell me if you're playing 'chicken,' or you mean it.
(beat; turns to Galvin)
Joe: I don't think I'm talking out of school, but I just heard someone offer you two hundred grand...and that's a lot of money...and if I may say, you haven't got the best of records.

GALVIN
...things change.

JUDGE
...that's true. Sometimes they change, sometimes they don't. Now, I remember back to when you were disbarred...

GALVIN
...I wasn't disbarred, they dropped the pro...

JUDGE
And it seems to me, a fella's trying to come back, he'd take this settlement, and get a record for himself.
(beat)
I myself would take it and run like a thief.

GALVIN
I'm sure you would.

The Judge turns, unbelieving that Galvin has patronized and insulted him. He controls himself.

JUDGE
Hm.
(beat; checking book)
We have the date set? Next Thursday. Good.
(smiles)
See you boys in court.

INT. COURTROOM - INSERT - DAY 39

A legal document. LIST OF PROSPECTIVE JURORS. DEBORAH ANN KAY Versus ST. CATHERINE LABOURE HOSPITAL Et Al.: Mr. Arthur Abrams, Machinist, 58; Mrs. Joann Chepek, Housewife, 42; Mr. Roger Chadword, Chemist, 59; etc.

ANGLE

Galvin, seated at the conference table intent on the form in front of him. He crosses out something with a pen.

ANGLE

Galvin takes the form, rises, walks across the room, walks by the defense table with Concannon and an Aide at it. Approaches the Jury Box, which has several prospective JURORS in it. He is very nervous. He addresses a man.

GALVIN
Mr. Abraham...

ABRAMS
Abrams...

GALVIN
Abrams. Yes. How are you today?

ABRAMS
I'm fine.

GALVIN
Good.
(beat)
You ever been inside a hospital?

ABRAMS
Yes.

GALVIN
Ah. How did they treat you...?

Galvin has flop sweat, Abrams is becoming intractable.

ABRAMS
I don't know what you mean.

Cont.

INT. CIGAR - COURTHOUSE CORRIDOR - DAY 40

Mickey standing by the door to the courtroom, looking through the glass panel, a newspaper under his arm, smoking. Galvin comes out.

MICKEY
Been a long time, huh...?

GALVIN
I'm getting it back. Don't worry about me, Mick. I'm fine. D'you find the obstetric nurse?

MICKEY
Mary Rooney. She won't talk to me. I tried her at the Hospital. I'm going to try her back at home. Read this.

He hands Galvin the newspaper. Galvin takes it, reads.

ANGLE - P.O.V.

The newspaper, folded to Page Two. A full-page photo of smiling doctors clustered around an operating table. Huge caption: "International Honors to St. Catherine Laboure Hospital. The Faculte Internationale do la Chirugerie today announced St. Catherine's as this year's recipient of the coveted Medaillion de la Sante..." etc.

ANGLE

Galvin reading. Looks up.

GALVIN
So what?

MICKEY
So what...? The best is yet to come. Check the TV Guide. They got our Dr. Towler on a panel GBH on Friday: 'The Healing Hand. The Experts Speak.'

GALVIN
They still have to take it to a jury.

Looks back to his form.

MICKEY
What I'm saying, they're getting some help.

Cont.

GALVIN
(looks up annoyed)
So what do you want me to do? Concannon's going to try the case his way, I'm going to try it mine. You want me to go wee wee wee all the time because he's got some flack, got stories in the newspaper. I'm going to win this case.

They start walking across the Courthouse corridor. Mickey veers off and stops at the Cigar Stand. To the STAND OPERATOR:

MICKEY
John: gimme a cuesta-ray.

GALVIN
Oh, shit, what's today?

MICKEY
Today is Tuesday. What?

GALVIN
I've got to go see Gruber.
(to Cigar Stand Operator)
What's the best cigars you have?

MICKEY
Give 'em a box of macanudos.

GALVIN
Mickey: I'm supposed to meet somebody at O'Rourke's, I can't make it.

JOHN
Here you are, Joey.

GALVIN
(takes box)
Thanks. Can you go over and meet her...? Tell her I'll stop by when I'm through...Laura Fischer...

MICKEY
Sure. Who is she?

JOHN
That's thirty-three bucks. Can you believe that...?

Cont.

MICKEY
Oh, yeah. Your broad from last night.

Galvin pays the Cigar Stand Operator.

JOHN
Thanks, Joey.

GALVIN
Tell her that I'll meet her there, okay?

MICKEY
Don't leave your best work in the sheets, Joe...

GALVIN
(ignoring him)
Yeah. See you tomorrow in the office.

Mickey shrugs.

GALVIN
We're doing fine.

ANGLE

The two of them crossing the lobby.

Dick Doneghy, looking around the lobby, spies them, starts across, and accosts Galvin.

DONEGHY
You said you're gonna call me up. You didn't call me up. Who do you think you are?
(pushes Galvin into a wall; advances; pushes him again)
Who do you think you <u>are</u>...?

GALVIN
Hold <u>on</u> a second.

DONEGHY
I'm going to have you <u>disbarred</u>. I'm going to have your <u>ticket</u>. You know what you <u>did</u>? Do you know what you <u>did</u>?

Cont.

He pushes Galvin again. Galvin waves Mickey off.

GALVIN
It's all right, Mickey.

DONEGHY
You ruined my life, Mister...Me and my wife...and I am going to ruin yours...
(pushes Galvin again)
You don't have to go out there to see that girl. We been going four years. They all deserted her. Her husband...he took the kids...everyone...everyone. Just me and Sally.
(beat)
Four years...my wife's been crying to sleep what they, what, what they did to her sister.

GALVIN
I swear to you I wouldn't have turned the offer down unless I thought that I could win the case...

DONEGHY
What you thought!? What you thought...I'm a workingman, I'm trying to get my wife out of town, we hired you, we're paying you, I got to find out from the other side they offered two hundred...

GALVIN
I'm going to win this case... Mist...Mr. Doneghy...I'm going to the Jury with a solid case, a famous doctor as an expert witness, and I'm going to win eight hundred thousand dollars.

DONEGHY
You guys, you guys, you're all the same. The Doctors at the Hospital, you...it's 'What I'm going to do for you'; but you screw up it's 'We did the best that we could. I'm dreadfully sorry...' And people like me live with your mistakes the rest of our lives.

Cont.

He nods sadly to himself. Beat.

GALVIN
If I could accept the offer right now, I would.
(beat)
They took it back.

DONEGHY
I understand.
(starts to walk away from Galvin; stops)
I went to the Bar Association. They tell me you're going to be disbarred.

INT. O'ROURKE'S PUB - NIGHT 41

Laura sitting in the same place at the bar. Mickey comes up to her.

MICKEY
Joey can't make it. He had an appointment he forgot, he's going to see you later. I'm Mickey Morrissey, we're supposed to get to know each other.

LAURA
How'm I doing so far?

MICKEY
So far you're great. You got a cigarette?

Laura opens her purse, starts hunting for a cigarette.

LAURA
What are you drinking?
(hands him cigarettes, smiles, calls the Bartender)
Jimmy...?

INT. GRUBER'S HOSPITAL CORRIDOR - NIGHT 42

Galvin, walks up to a door marked Doctors Only. He opens his briefcase, takes out the box of Macanudo Cigars, smiles to himself, walks inside.

INT. DOCTORS' LOCKER ROOM - GRUBER'S LOCKER 43

Galvin enters, looks around, it is empty. He looks at the clock, takes out his appointment book, turns to appropriate page.

ANGLE - P.O.V.

The book, written very large: "Dr. Gruber. 7:00 P.M. Hospital."

ANGLE

Galvin standing, he waits a beat. Starts out of locker room.

INT. GRUBER'S HOSPITAL CORRIDOR - NURSES' STATION - NIGHT 44

CAMERA FOLLOWS him TO Nurses' Station. He speaks to the NURSE behind the desk.

GALVIN

Dr. Gruber.

NURSE

Dr. Gruber's not here today, Sir.

GALVIN

No...no...

She glances down, checks a sheet.

NURSE

Yes, Sir. He hasn't been in all day...He's not on the chart...

EXT. GRUBER'S OFFICE BUILDING AND STREET - NIGHT 45

Galvin walking in the snow. Stops outside of a very lovely brownstone with a small brass plaque.

ANGLE - P.O.V.

The plaque: Dr. David Gruber. M.D. P.C.

ANGLE

Galvin looking in through the window of the dark, deserted ground-floor office. He knocks on the door. Nothing. He knocks again. Nothing. He stands unbelieving.

46

EXT. GRUBER'S HOUSE AND STREET - NIGHT

Galvin getting out of a taxi, rushing up the steps of a brownstone. Peeps through the window on the side of the house. Dark. He grabs the brass knocker. Pounds. Nothing, he pounds again. Nothing. He is beaten. He is without resource. He starts vacantly down the stairs. The door behind him is opened. He turns.

ANGLE - P.O.V.

A middle-aged black WOMAN in livery.

MAID

What is it?

ANGLE

Galvin on the steps speaking with her.

GALVIN

Dr. Gruber.

MAID

Dr. Gruber's not in.

GALVIN

I had an appointment at his office, I think I must have got it wrong. We had a meeting...

MAID

He's not in, Sir.

GALVIN

Where is he?

She hesitates. She has been instructed not to say. Galvin starts up the steps.

GALVIN

I...please. My wife...my wife's prescription has run out. If I can call him...

MAID

Dr. Halpern's taking all his...

GALVIN

No, no, no. I have to talk to him. If I can only call him...

Cont.

46 Cont.

MAID
(beat)
He's...you can't reach him, Sir. He's in the, on some island in the Caribbean, they don't have a phone.
(beat)
He'll be back in a week...
(beat)
If you'd like Dr. Halpern's number...

Galvin turns away from the door. He is still clutching the box of cigars unconsciously.

INT. O'ROURKE'S - NIGHT 47

Mickey and Laura. Positions unchanged, at the bar. Somewhat progressed toward a convivial drunkenness.

MICKEY
Stearns, Harrington, you know who that is?

LAURA
Should I?

MICKEY
A huge law firm. Okay? They put him in the firm, he's married, everything's superb. Joey, he's starting to talk like he comes from Dorsetshire, some fuckin' place, 'You must drop by with Pat and me...' Okay...?

LAURA
Yes.

MICKEY
...and he's making a billion dollars every minute working for Stearns, Harrington, and he bought a dog, and everything is rosy.
(beat)
Then Mr. Stearns, he tried to fix a case.

LAURA
The Big Boy did...?

Cont.

MICKEY
That Joe was working on. Yeah. He thought Joey needed some help, so he bribed a juror. So Joey finds out. He comes to me in tears. He thinks that anybody who knows what a 'spinnaker' is got to be a saint. I told him, 'Joey, wake up. These people are sharks. What do you think they got so rich from? Doing good?' He can't be comforted. He tells the boys at Stearns and Harrington they've disappointed him, he's going to the Judge to rat them out.

LAURA
Huh.

MICKEY
Before he can get there here comes this Federal Marshal, and Joey's indicted for Jury tampering, they throw him in jail, he's gonna be disbarred, his life is over.
(beat)
Jimmy, gimme another drink.
(to Laura)
How are you?

LAURA
(to Jimmy)
Me, too.

MICKEY
Okay. Now, so he's in jail. He, finally, he gets to see the light, he calls up Harrington, he says he thinks that he made a mistake. As if by magic, charges against him are dropped, he's released from jail.

Cont.

MICKEY (Cont.)
(beat)
P.S. He's fired from the firm, his wife divorces him, he turns to drink and mopes around three and a half years.
(beat)
You like that story...?

She looks at him. HOLD.

EXT. JUDGE SWEENEY'S HOUSE - NIGHT 48

Snow falling. Galvin standing outside, having just rung the bell. The door is opened by a gangly teen-age boy. CAMERA FOLLOWS Galvin into...

INT. JUDGE SWEENEY'S HOUSE - NIGHT 49

...the hall of the house. The boy motions toward a closed sliding door and then goes into the living room opposite. Galvin hangs up his coat on the hall coatrack, we hear the boy resume the practice of a passage of Chopin on the piano. Galvin knocks on the sliding door.

JUDGE
(o.s.)
Come in.

Galvin opens the door and goes into the Judge's darkened study. The Judge is watching a basketball game on TV, drinking a beer. CAMERA FOLLOWS Galvin into the room.

JUDGE
What is it?

GALVIN
Thank you for seeing me.

JUDGE
That's perfectly all right.

Judge turns down the volume on the game, but keeps watching it.

GALVIN
I need an extension for my case.

JUDGE
You should have taken their offer. Especially if you were unprepared.

Cont.

GALVIN
I had a witness disappear on me.

JUDGE
That happens.

GALVIN
I could subpoena him if I had a week.

JUDGE
I don't have a week. This case never should have come to trial. You know better. You're Mr. Independent. You want to be independent? Be independent now. I've got no sympathy for you.

Judge leans forward, turns up the volume on the game.

EXT. STREET - GALVIN - PHONE - NIGHT 50

LONG SHOT of cars whooshing in the snow past a lonely street corner. A MAN at an open telephone stand. The sound of the telephone on the far end ringing.

ANGLE

Galvin at the stand, shivering in the cold, talking on the phone. An open note pad in his bare hand.

VOICE
(voice over)
Continental Casualty...

GALVIN
Mr. Alito, please.

VOICE
(voice over)
Business hours are over, Sir. This is the switch...

GALVIN
I have to reach him. This is an emergency. Could you give me his home number?

VOICE
(voice over)
I'm sorry, Sir, we're not allowed...

Cont.

50 Cont.

GALVIN
...Would you, would you call him up. I'll give you my number, and ask him...

VOICE
(voice over)
I can't guarantee that...

GALVIN
I understand. Thank you, my name is Galvin. I'll be at the following number in a half an hour. It's urgent.

INT. GALVIN'S OFFICE - NIGHT 51

Galvin sitting at his desk, a stack of files piled on his desk, he is sorting through them looking for something. The phone rings, he snatches it up.

GALVIN
(into phone)
Hello. Yes. Thank you for calling. Joe Galvin...I'm representing Deborah Ann Kaye...? I'd like to discuss your firm's offer of the two hundred th... In the sense that I feel that we'd like to accept it.
(beat)
Well, it's rather a shock to me, too; but it's my client's wishes ...She's changed her mind as of this evening...I must say that I tried to dissuade her...

He wipes his sweating forehead, he hears the sound of his offic door opening, he looks up.

ANGLE - P.O.V.

Mickey opening the front door to the office, carrying an armful of lawbooks, and a couple of files, he turns on the lights in the anteroom, and we SEE that he is surprised to see Galvin in the office.

ANGLE - GALVIN ON THE PHONE

GALVIN
(into phone)
...Well, she, on the eve of the case...You understand...I think quite frankly she's come down with nerves and she'd like...

Cont.

A beat. Mickey comes tentatively into the room and sits at the desk across from Galvin.

GALVIN
When was that arrived at...?
(beat)
I, I know what Mr. Concannon said, but...I. Well, I think you're making a mistake...I think that you should reconsider; why don't you check with your principals, and I'll call in the...
(beat)
No?...you...uh. All right. No. That's fine. I understand. Sorry to bother you at home.

He hangs up the phone. Sits rock still. Beat.

MICKEY
What happened...?

Galvin starts searching through his files again.

MICKEY
What happened, Joey...?

GALVIN
I can't talk now.

MICKEY
D'you meet with Dr. Gruber...?

Galvin has found the sheet he is looking for, he extracts it from the file.

ANGLE - P.O.V.

The sheet of yellowing paper. Headed "DEBORAH ANN KAYE Poss. Drs. to testify: Contact: Dr. Lucien Thompson, Mineola Long Island; Dr. Duane Litchey..." He turns to second sheet. It is a letter-headed sheet, "Lucien Thompson, M.D." "Dear Mr. Galvin, after studying the case material on Deborah Ann Kaye, I would be glad..." Galvin turns back to first sheet, underlines THOMPSON in red.

ANGLE

Galvin dialing phone.

GALVIN
Concannon got to my witness.

Cont.

GALVIN (Cont.)
(beat; to himself)
I can't breathe in here...
(into phone)
Hello Doctor...?
(checks sheet)
Dr. Thompson, this is Joseph Galvin, attorney for a Deborah Ann Kaye, we had some correspondence some time ago...? That's right. I'm sorry that we never got back, the case was postponed, and I've had a changeover in staff...I'm sorry to call you so late...

ANGLE

Mickey, looking pityingly at Galvin. Mickey sees the box of Macanudo Cigars on the desk, picks them up, starts to open them -- throws them across the room in disgust.

GALVIN
(voice over)
...but we have had a change of strategy, and we were wondering, I know this is short notice, but...

52

INT. GALVIN'S APARTMENT - NIGHT

Galvin in pants and shirt carrying a drink, distraught, frightened. Standing in the doorway of his sitting room.

ANGLE

Laura in slacks and sweater coming out of the kitchen with her drink. She sits at a worktable on which are Galvin's briefcase, files, etc.

ANGLE

Galvin and Laura. He is biting his nails.

Beat.

LAURA
Would you like me to leave...?
(beat)
Is this a bad time -- ?

Cont.

GALVIN
(distracted)
What...?

LAURA
Is this a bad time.

GALVIN
We, we...No...we just had a small reversal in the case...
(beat)
I have some, uh...I have some work to do...

LAURA
What happened...?

GALVIN
They, uh, they got to my witness.

A beat.

LAURA
...and is that serious?

Galvin, suddenly focuses, starts for worktable.

GALVIN
I've got to work...

LAURA
Do you want me to go...?

GALVIN
No, no, I'm just...

He stops, rubs his face...

LAURA
Why don't you get some rest?

GALVIN
I've got to work.

LAURA
You can't work if you can't think. You get in bed. It's all right. I'll stay here with you. It's all right. Come on...

Cont.

52 Cont.1

GALVIN
You're going to stay here...?

LAURA
Yes.

A beat.

GALVIN
I'm only going to rest a little while.

She leads him into the bedroom.

ANGLE - LATER

Same room, Laura, dressed in Galvin's bathrobe, sitting in the easy chair next to his worktable, smoking a cigarette, reading an old hard-cover novel. She looks up across the room.

ANGLE - P.O.V.

The door to the bedroom, closed.

ANGLE

Laura sighs, takes a drag. Puts the book down on her lap. Sits, thinking.

53 INT. CONCANNON'S CONFERENCE ROOM - DAY

Witness stand. DR. TOWLER, a distinguished man in his fifties, sitting on the stand. Concannon o.s. The doctor is ill-at-ease; smiles nervously.

CONCANNON
(voice over)
What is your name, please?

DR. TOWLER
Dr. Robert Towler.

CONCANNON
(voice over)
You were Deborah Ann Kaye's doctor...?

DR. TOWLER
No, actually, she was referred to me. She was Dr. Hagman's patient...

Cont.

CONCANNON
(voice over)
Don't equivocate. Be positive.
Just tell the truth.

ANGLE

The conference room. WIDE. Concannon's young lawyers taking notes as Concannon rehearses Dr. Towler, a Sony VTR being operated by one of them.

CONCANNON
Whatever the 'truth' is, let's hear that. You were her doctor.

DR. TOWLER
Yes.

CONCANNON
Say it.

DR. TOWLER
I was her doctor.

CONCANNON
You were the anesthesiologist at her delivery on May twelfth, nineteen seventy...

DR. TOWLER
...I was one of a group of...

CONCANNON
Answer affirmatively. Simply. Keep those answers to three words. You weren't 'part of a group' you were her anesthesiologist. Isn't that right?

DR. TOWLER
Yes.

CONCANNON
You were there to help Dr. Marx deliver her baby. Were you not?

DR. TOWLER
Yes.

Cont.

ANGLE

Concannon starts to stroll a bit around the conference room, in back of the assembled assistants, by the large windows, which offer a panoramic view of Boston.

CONCANNON
Anything special about the case?

DR. TOWLER
When she...

The young lawyer (BILLY), Concannon's right-hand assistant, raises his hand to get Concannon's attention.

CONCANNON
(to Dr. Towler, correcting him)
When 'Debby'...
(to Young Lawyer)
Thank you.

Young Lawyer nods, makes a notation in his pad.

DR. TOWLER
Thank you. When Debby...

CONCANNON
(switching his tack)
Dr. Towler, who was in the operating room with you?

DR. TOWLER
Ms. Nevins, nurse-anesthetist; Dr. Marx, of course...

He nods toward Dr. Marx who is in the audience, who nods back.

DR. TOWLER
Mary Rooney, the obstetrical nurse...

CONCANNON
What did these people do when her heart stopped?

DR. TOWLER
We went to Code Blue...

CONCANNON
'Code Blue,' what does that mean...?

Cont.

DR. TOWLER
It's a common medical expression, it's a crash program to restore the heartbeat. Dr. Marx cut an airway in her trachea, to get her oxygen, her and the baby...Ms. Nevins...

CONCANNON
Why wasn't she getting oxygen...?

DR. TOWLER
Well, many reasons, actually...

CONCANNON
Tell me one?

DR. TOWLER
She'd aspirated vomitus into her mask...

CONCANNON
She THREW UP IN HER MASK. Let's cut the bullshit. Say it: She THREW UP IN HER MASK.

A beat.

DR. TOWLER
She threw up in her mask.

Concannon nods to the Young Lawyer, who is conscientiously taking notes.

CONCANNON
...and her heart stopped and she wasn't getting oxygen.

DR. TOWLER
That's right.

CONCANNON
And what did your team do...

DR. TOWLER
Well, we...

CONCANNON
...You brought thirty years of medical experience to bear. Isn't that what you did?

Cont.

DR. TOWLER

Yes.

CONCANNON

...A patient riddled with complications, questionable information on her, on her admitting form...

DR. TOWLER

...We did everything we could...

CONCANNON

...to save her and to save the baby. Is that...

DR. TOWLER

Yes!

CONCANNON

You reached down into death. Now, isn't that right?

DR. TOWLER

(getting overcome)

My God, we tried to save her... You can't know...you can't know...

CONCANNON

(changing tactics; soothing)

Tell us.

Beat. Dr. Towler sighs. He begins to speak.

54

EXT. SOUTH STREET STATION - BOSTON - DAY

People coming out of a just-arrived train.

ANGLE

Galvin watching them, he has a large boutonniere in his lapel. The departing PASSENGERS stream past him. An elderly BLACK MAN passes him by, turns and comes back to him.

ANGLE - THE BLACK MAN AND GALVIN

DR. THOMPSON

Mr. Galvin?

Cont.

54 Cont.

Galvin turns. He is taken aback. He registers who it must be.

GALVIN
Dr. Thompson...?

DR. THOMPSON
It was good of you to meet...

Galvin cuts him off, takes his bag.

GALVIN
Thank you for coming.

They shake hands. They start...

INT. SOUTH STREET STATION - DAY 55

...into the station. The CAMERA TRACKING BEFORE them. As Galvin passes a wastebasket, he deposits his boutonniere.

GALVIN
I have some errands to run, and then I thought we'd spend the evening...

DR. THOMPSON
(nodding)
That's what I'd planned to...

GALVIN
I'm going to take you to the home to see the girl...

DR. THOMPSON
(tapping his briefcase, referring to his files)
From what I've seen, Mr. Galvin, you have a very good case...

GALVIN
(distracted; thinking ahead)
Yes. Yes. I think so. I hope you'll be comfortable. I'm putting you up at my...

DR. THOMPSON
...I made a reservation at...

GALVIN
...apartment.

Cont.

55 Cont.

GALVIN (Cont.)
(stops)
No, no. Please. You don't know who we're dealing with, I, please believe me, they...

DR. THOMPSON
...What difference would...

GALVIN
These people play very rough. They don't want to lose this case. There's a lot of-pressure they can bring to bear, I...

DR. THOMPSON
(smiles)
There's nothing they can do to me.

EXT. SOUTH STREET STATION AND STREET - DAY 56

Galvin starts them walking again.

GALVIN
Please, Sir. Please. Humor me.

They have arrived outside at a bank of cabs.

GALVIN
We'll spend the evening together, I'll put you up, you'll be very comfortable. Please.
(hands Dr. Thompson an envelope)
That's my address. They key is in it.
(leans forward into a cabbie's window)
1225 Commonwealth.
(to Dr. Thompson)
Treat the place as your own. Please don't tell anyone you're here, I'll see you this evening. Thank you, and thank you for coming.

He puts Dr. Thompson's bag into the cab. Dr. Thompson hesitates, gets into the cab.

Cont.

56 Cont.

As the cab pulls out, CAMERA FOLLOWS Galvin TO a bank of phones outside the station.

ANGLE

Galvin at the phone.

VOICE
(Claire, on phone)
Mr. Galvin's...

GALVIN
Let me talk to Mickey.

A beat.

MICKEY
(on phone)
Yeah? How's our new witness?

GALVIN
D'you find the obstetric nurse?

MICKEY
She's workin' the late shift at the Hospital. She's at home now, I'm going over there to talk to...

GALVIN
Gimme the address. I'm gonna go. We're going to need her.

EXT. MARY ROONEY'S HOUSE - DAY 57

Names on bells. One of them is ROONEY, M. 2D.

ANGLE

Galvin standing by the bell. Rings it. Beat. The door is buzzed, he walks into the vestibule, past mailboxes, up the stairs.

INT. MARY ROONEY'S HOUSE - DAY 58

Door opens, MARY ROONEY, a tough-looking woman in nurse whites opens the door.

ANGLE

Galvin in hall, CAMERA FOLLOWS him TO the door.

Cont.

GALVIN
I'm Joe Galvin. I'm representing Deborah Ann Kaye, case against St. Catherine Laboure.

MARY ROONEY
I told the guy I didn't want to talk to...

GALVIN
I'll just take a minute. Deborah Ann Kaye. You know what I'm talking about. The case is going to trial. Our chief witness is a Dr. David Gruber, you know who he is?

MARY ROONEY
No.

GALVIN
He's the Assistant Chief of Anesthesiology, Massachusetts Commonwealth. He says your doctors, Towler and Marx, put my girl in the hospital for life. And we can prove that. What we don't know is why. What went on in there? In the O.R. That's what we'd like to know. Something went wrong. And you know what it was. They gave her the wrong anesthetic. What happened? The phone rang...someone got distracted...what?

MARY ROONEY
...you got your doctor's testimony. Why do you need me?

GALVIN
I want someone who was in the O.R. We're going to win the case, there's no question of that. It's just a matter of how big...

MARY ROONEY
I've got nothing to say to you.

GALVIN
You know what happened.

Cont.

MARY ROONEY
Nothing happened.

GALVIN
Then why aren't you testifying for their side?

She starts to close the door. He stops her.

GALVIN
I can subpoena you, you know. I can get you up there on the stand.

MARY ROONEY
And ask me what?

GALVIN
Who put my client in the hospital for life.

MARY ROONEY
I didn't do it, Mister.

GALVIN
Who are you protecting, then?

MARY ROONEY
Who says that I'm protecting anyone?

GALVIN
I do. Who is it? The Doctors. What do you owe them?

MARY ROONEY
I don't owe them a goddamn thing.

GALVIN
Then why don't you testify?

MARY ROONEY
(beat)
You know, you're pushy, fella...

GALVIN
You think I'm pushy now, wait 'til I get you on the stand...

MARY ROONEY
Well, maybe you better do that, then.

Cont.

58 Cont.2

MARY ROONEY (Cont.)
(starts to close door; stops)
You know you guys are all the same. You don't care who gets hurt. You're a bunch of whores. You'd do anything for a dollar. You got no loyalty...no nothing ...you're a bunch of whores.

She closes the door on him.

INT. CONCANNON'S OFFICE - NIGHT 59

A young LAWYER on the phone, silent, nodding, taking notes. He holds up his hand to someone indicating "Almost done. I'll be right with you."

ANGLE

Concannon, in overcoat, about to go out, surrounded by an entourage of SECRETARIES and ASSISTANTS in overcoats, waiting on him.

ANGLE

Concannon and the Young Attorney. The Young Attorney into phone, "Thank you." He hangs up, starts reading from his notes to Concannon:

YOUNG ATTORNEY
His name is Dr. Lionel Thompson. City College of New York, Class of twenty-six. Bachelor or Science; New York College of Medicine; sixteenth in a class of twenty-two. Nineteen seventy-six got a courtesy appointment, staff of anesthesiology, Easthampton Hospital for Women. Never married. Has no honors or degrees of any weight. Since nineteen seventy-five he's testified in twenty-eight court cases, twelve malpractice.
(smiles, saving his best 'til last)
And he's black.

CONCANNON
(beat; stern)
I'm going to tell you how you handle the fact that he's black. You don't touch it. You don't mention it. You treat him like anybody else. Neither better or worse.

Cont.

59 Cont.

CONCANNON (Cont.)
(smiles)
And you get a black lawyer to sit at our table. Okay...?

YOUNG ATTORNEY
Yessir.

CONCANNON
Good. What else do you do?

YOUNG ATTORNEY
...get the records of his testimony in the twelve malpractice cases.

Concannon nods, meaning "that is correct." He turns, exiting with his ENTOURAGE. Over his shoulder:

CONCANNON
Do it. We'll be at Locke-Obers.

INT. GALVIN'S APARTMENT SITTING ROOM - NIGHT 60

Dr. Thompson in shirt sleeves, attentive, stands against a sideboard. Mickey Morrissey, seated, in an armchair. Grilling him.

DR. THOMPSON
They gave her the wrong anesthetic.

MICKEY
Why is that?

DR. THOMPSON
(starting on reciting a list)
Her sister said she ate one hour prior to admittance...she...

MICKEY
...that's what the sister said. The chart said she ate nine hours prior to...

DR. THOMPSON
...she went in complaining of stomach cramps. Good doctor would have doubted the information on the chart.

MICKEY
Is that what a good doctor would do? How old are you, please?

Cont.

60 Cont.

DR. THOMPSON
I am seventy-four years old.

MICKEY
What qualifies you as an expert in anesthetics...?

DR. THOMPSON
I am on the staff of...

MICKEY
Easthampton Hospital for Women. Excuse me, what is that, a joke? Let me tell you something, Doctor, those men at Catherine Laboure. Men who are known not only in this city, but the world, were trying to save a woman's life. They were there, and here you are, four years later, read some hospital report, and say...

DR. THOMPSON
...I made a detailed physical examination of the patient, Sir, yesterday evening, I...

Mickey drops his belligerent attitude. Turns to someone behind him.

ANGLE

The two men, Galvin standing behind Mickey, smoking. He nods.

MICKEY
(to Dr. Thompson, casually)
She getting good care over there?

DR. THOMPSON
Actually, it's yes. It's by no means bad, I...

MICKEY
(grilling him again)
Then what good would it do to ruin the reputation of two men, to help a girl whose life's not going to be changed in the least? You know what CODE BLUE means?

DR. THOMPSON
'Code Blue'...

60 Cont.1

MICKEY
It's a common medical term.

Mickey half-turns to Galvin, shrugs minutely, meaning, "We're in trouble."

INT. LAURA'S HOTEL ROOM - NIGHT 61

Hotel room door SEEN from the inside.

Beat.

The handle starts to turn.

ANGLE

Galvin coming through the door. He looks at Laura, tiredly closes the door behind him, hangs up his coat in the closet, moves into the room. As Galvin walks into the room, the CAMERA PRECEDES him and TURNS so that WE NOW SEE them BOTH.

Beat.

GALVIN
We're going to lose.

A beat. Galvin looks out the window and then looks back to Laura.

GALVIN
Do you think it's my fault?

LAURA
Isn't there something you...

GALVIN
That's not the question. It's over.
(beat)
Do you think that it's my fault? If I'd...if I'd...I never should have taken it. There was no way that I was going to win.

LAURA
You're talking like a drunk.

GALVIN
That's what I am.

Beat.

Cont.

LAURA
And it's over...?

GALVIN
Yes.

LAURA
Well, then what are you doing here...?

Beat.

GALVIN
I...do you want me to leave?

LAURA
You do what you want. You want to leave...You want to go kill yourself?

GALVIN
I...

LAURA
You want me to tell you it's your fault? It probably is. What are you going to do about it?
(beat)
I thought it's not over till the jury comes in.

GALVIN
How the hell do you know...

LAURA
You told me so.

GALVIN
I came here for some sympathy.

LAURA
You came to the wrong place.

GALVIN
And what makes you so tough?

LAURA
Maybe I'll tell you later.

GALVIN
Is there going to be a later...?

Cont.

LAURA
Not if you don't grow up...

GALVIN
If I don't 'grow up...'

LAURA
You're like a kid, you're coming in here like it's Sunday night, you want me to say that you've got a fever -- you don't have to go to school...

GALVIN
(shakes head sadly)
You, you don't under...

LAURA
Oh, yes, I do, Joe. Believe me. You won't let go of the past.

GALVIN
Oh. Is that my problem...

LAURA
What is your wife's picture doing by the side of your...

GALVIN
What is that to you...?

LAURA
What would you like it to be to me...? I, I, I can't invest in failure, Joe, I've beat it out of me, and...

Galvin gets up hurriedly.

GALVIN
Excuse me, I've...

He hurries out of the room. CAMERA FOLLOWS him into the bathroom, he shuts the door, his chest heaves convulsively. He can't catch his breath...Beat. We hear a knock on the door.

LAURA
(voice over)
Joe...
(beat)
Joe...

Cont.

GALVIN
(screaming)
Stop pressuring me...

The door opens, Galvin is still trying to catch his breath. Laura enters.

Beat.

LAURA
You're pressuring yourself...

GALVIN
(shaking head, utterly denying her)
No...no...

LAURA
Yes.
(beat)
We've all got to let go.

INT. "D. KAYE" SIGN - COURTROOM CORRIDOR - DAY 62

Galvin coming down the corridor with Sally Donegby. They stop by a door on which the card reads: "PART III. DEBORAH ANN KAYE V. ST. CATHERINE LABOURE HOSPITAL ET AL."

INT. COURTROOM - DAY 63

They enter the courtroom. CAMERA FOLLOWS them in. The room one-quarter filled. Concannon at the defense table with the Defendants, a Black Lawyer, entourage. Galvin stops.

GALVIN
(to Sally)
I'm going to do the best I can for you and your sister. I know what it means to you. Believe me...
(beat)
It means that much to me.

He turns away, walks toward the front of the courtroom, glances toward the jury box.

ANGLE - P.O.V.

The Jury, somber, controlled, dignified.

Cont.

ANGLE

Galvin continuing to the defense table, Mickey Morrissey already seated, studying notes on a yellow legal pad. Galvin sits. Mickey looks up.

MICKEY
How are you holding up?

GALVIN
I'm swell.

MICKEY
And ~~our guy's still a bigger, bub?~~ all we've got is a witch doctor!

GALVIN
Yeah.

Cont.

The BAILIFF enters, some SPECTATORS, knowing the routine, start getting to their feet.

MICKEY
Look at it this way: it's refreshing every time a Doctor takes the stand he's not a Jew.

We hear the Bailiff's "All rise."

ANGLE

The COURTROOM getting to its feet as JUDGE WILLIAM B. HOYLE enters.

The Bailiff, as the Judge sits:

BAILIFF
Hear ye, hear ye, hear ye, all persons having anything to do before the Honorable, the Justices of the Superior Court now sitting at Boston within and for the County of Suffolk, draw near, give your attendance and you shall be heard. God save the Commonwealth of Massachusetts. Be seated.

The Courtroom is seated. JUDGE motions to the CLERK, who stands and reads:

CLERK
Deborah Ann Kaye versus St. Catherine Laboure, Robert S. Towler, M.D. and Sheldon F. Marx, M.D.

ANGLE - CLOSEUP

GALVIN at Plaintiff's table, looking down at notes.

JUDGE
Is the Plaintiff ready?

GALVIN
(looking up)
Ready, your Honor.

JUDGE
Defense...?

CONCANNON
Ready for the Defense, your Honor.

Cont.

63 Cont.1

ANGLE

The Courtroom. P.O.V. JUDGE

JUDGE
(voice over)
Let's begin.

Galvin gets to his feet. Walks over to the JURY. Looks at them, appraising. He pauses as before a great effort. Takes a breath. Exhales.

GALVIN
It's a terrible thing to sit in judgment. So much rides on it. I know that you've thought, 'How can I be pure. How can I be impartial without being cold. How can I be merciful and still be just?' And I know that most of you have said some sort of prayers this morning to be helped. To judge correctly. We have the reputation of two men. Two well-respected doctors and a renowned hospital before us. And with those two respected men we have my client, Deborah Ann Kaye...
(beat)
...who was unlawfully deprived of sight, of locomotion, hearing, speech, of everything, in short, which constitutes her life.
(beat)
We are going to prove she was deprived through negligence.
(beat)
Through the negligence of those respected men. We will show:
One...

INT. ARCHBISHOP'S HOUSE - CORRIDOR - DAY 64

A lavishly appointed corridor. Alito and BILLY, the YOUNG LAWYER from the Concannon's office, walking slowly down the corridor.

ALITO
Why did he go to see Mary Rooney?

YOUNG LAWYER
She's the only nurse who isn't testifying for the Doctors.

Cont.

64 Cont.

ALITO
What did he find?

YOUNG LAWYER
Nothing.

ALITO
How good's your intelligence?

YOUNG LAWYER
Very good.

ALITO
And so what is the rest of his case aside from this Dr. Thompson?

YOUNG LAWYER
As far as we know now, nothing.

Alito nods, they stop outside a large double door.

ALITO
Thank Mr. Concannon for me. Please tell him I'll see him at his office.

Alito knocks on the door. The door is opened by a YOUNG PRIEST. Alito nods to the Young Lawyer, enters the Bishop's study. The door is closed behind him.

INT. COURTROOM - DAY 65

The jury box. One JUROR leans over and makes a whispered comment to another. The SECOND JUROR nods, inclines his head toward the witness box.

ANGLE

DR. THOMPSON on the stand. Composed, waiting. CONCANNON consulting his notes.

CONCANNON
Dr. Thompson, just so the Jury knows, you never treated Deborah Ann Kaye. Is that correct?

DR. THOMPSON
That is correct. I was engaged to render an opinion.

Cont.

65 Cont.

CONCANNON
Engaged to render an opinion. For a price. Is that correct? You're being paid to be here today?

DR. THOMPSON
Just as you are, Sir...

CONCANNON
Are you board-certified in anesthesiology, Doctor?

DR. THOMPSON
No, I am not. It's quite common in New York State...

CONCANNON
...I'm sure it is, but this is Massachusetts, Doctor. Certified in Internal Medicine?

DR. THOMPSON
No.

CONCANNON
Neurology?

DR. THOMPSON
No.

CONCANNON
Orthopedics?

DR. THOMPSON
I'm just an M.D.

CONCANNON
Do you know Dr. Robert Towler...?

DR. THOMPSON
I know <u>of</u> him.

CONCANNON
How is that?

DR. THOMPSON
Through, through his book.

CONCANNON
What book is that?

Cont.

DR. THOMPSON
Meth...Methodology and Technique...

CONCANNON
...of Anesthesiology?

DR. THOMPSON
'Methodology and Techniques of Anesthesiology.' Yes.

CONCANNON
How old are you?

DR. THOMPSON
I am seventy-four years old.

CONCANNON
Uh-huh. Practice a lot of medicine these days?

DR. THOMPSON
I'm on the staff of...

CONCANNON
Yes, we've heard that. Doctor: you testify quite a bit against other physicians? Isn't that right? You, you're available for that? When you're paid to be there?

DR. THOMPSON
Sir. Yes. When a thing is wrong... as in this case, I am available. I am seventy-four years old, I am not board-certified. I have been practicing medicine fifty-six years and I know when an injustice has been done.

CONCANNON
Do you, indeed. I'll bet you do. Fine. Fine. We'll save the court the time. We will admit the Doctor as an 'expert witness,' fine.

Concannon sits.

JUDGE
(in undertone, to Bailiff)
Do we have time this morning to...

Cont.

JUDGE (Cont.)
(glances at watch, Bailiff nods to him)
All right. Mr. Galvin, you want to continue now, or we can resume with Dr. Thompson this afternoon.

GALVIN
(rising)
Thank you, your Honor, I'll continue. Dr. Thompson. Did you examine Deborah Ann Kaye last night at The Northern Chronic Care Facility?

DR. THOMPSON
I did.

CONCANNON
Objection.

JUDGE
Sustained. Yes. The witness will confine his testimony to review of the hospital records.

GALVIN
What?

JUDGE
(patronizing)
I believe that's the law...is it not, Mr. Galvin...?

A beat.

GALVIN
Dr. Thompson. From your review of the hospital records of May twelfth nineteen seventy-six. In your opinion, what happened to Deborah Ann Kaye?

DR. THOMPSON
Cardiac arrest. During delivery her heart stopped. When the heart stops the brain's deprived of oxygen. You get brain damage. That is why she's in the state she's in today.

GALVIN
Now, Dr. Towler's testified that they restored the heartbeat within three or four minutes. In your opinion is his estimate correct?

DR. THOMPSON
It's my opinion it took him much longer. Nine...ten minutes. There's too much brain damage.

The Judge leans over.

JUDGE
(to Dr. Thompson)
Are you saying that a failure to restore the heartbeat within nine minutes in itself constitutes bad medical practice?

A beat.

DR. THOMPSON
Well...

GALVIN
Your Honor!

He has shouted unconsciously; the whole Courtroom turns to look at him.

JUDGE
Yes, Mr. Galvin?

GALVIN
If I may be permitted to question my own witness in my own way...

JUDGE
I'd just like to get to the point, Mr. Galvin. Let's not waste these people's time. Answer the question, Mr. Witness. Please. Would a nine-minute lapse in restoring the heartbeat in of itself be negligence?

DR. THOMPSON
I...in that small context I would have...I would have to say 'no.'

JUDGE
Then you're saying there's no negligence, based on my question?

Cont.

DR. THOMPSON
I...given the limits of your question, that's correct.

JUDGE
The Doctors were not negligent.

DR. THOMPSON
(beat)
I...um...

The Judge shrugs, meaning, "Well then what in the hell are we doing here?"

ANGLE

Galvin, furious.

ANGLE

The Judge and Witness.

JUDGE
Thank you.

The Witness starts to step down. Galvin strides over to him and speaks to the Judge.

GALVIN
I'm not through with the witness, your Honor. With all due <u>respect</u> if you are going to try my case for me I would appreciate it if you wouldn't <u>lose</u> it.

The Judge stands, furious.

JUDGE
Thank you. I think that's enough for this morning. I'll see the Plaintiff's Counsel in my chambers now, please.

The Courtroom rises. The Bailiff is heard, "All rise, court is adjourned until one o'clock."

INT. JUDGE SWEENEY'S CHAMBERS - DAY 66

Galvin, furious, standing against the wall. The Judge comes in from his own entrance, shucking his robe. Equally angry.

Cont.

JUDGE
I got a letter from the Judge Advocate's office on you today, fella, you're on your way out...They should have kicked you out on that Lillibridge case. Now this is it today.

GALVIN
I'm an attorney on trial before the bar. Representing my client. My client, do you understand? You open your mouth and you're losing my casé for me...

JUDGE
Listen to me, fella...

GALVIN
No, no, you listen to me. All I wanted in this case is an even shake. You rushed me into court in five days...my star witness disappears, I can't get a continuance, and I don't give a damn. I'm going up there and I'm going to try it. Let the Jury decide. They told me Sweeney he's a hard-ass, he's a defendant's judge, he's in bed with the Boys Downtown. I don't care. I said, the hell with it. The hell with it. I'll take my chances he'll be fair.

Galvin is pacing. Beat.

JUDGE
(conciliatorily)
Galvin, look, many years ago...

GALVIN
And don't give me this shit, 'I was a lawyer, too.' 'Cause I know who you were. You couldn't hack it as a lawyer. You were Bag Man for the Boys and you still are. I know who you are.

JUDGE
(beat; barely controlling anger)
Are you done?

66 Cont.1

GALVIN
Goddamn right I'm done. I'm going to ask for a mistrial and I'm going to request that you disqualify yourself from sitting on this case. I'm going to take a transcript to the State and ask that they impeach your ass.

JUDGE
You aren't going to get a mistrial, boy. We're going back this afternoon, we're going to try this case to an end. Now you get out of here before I call the Bailiff and have you thrown in jail.

INT. JUDGE'S CHAMBERS CORRIDOR - DAY 67

Galvin walking down the corridor, having just come from the Judge's Chambers. Sally Doneghy comes up to him.

SALLY
What does it mean?
(beat)
I...I mean we, you have other tactics...

GALVIN
We, yes. Yes. They, they present their side, and I get the same chance. To cross-examine...to... to...

SALLY
Are we going to win?
(beat, desperately needing to trust)
We have, you know, other tactics, though...

GALVIN
Yes.

She nods. Beat. Walks off. Galvin turns to the open door to the Courtroom, through which the SPECTATORS are reentering for the afternoon session. Mickey is standing by the door, he catches Galvin's eye. They look at each other a moment.

Cont.

INT. COURTROOM - DAY 68

Dr. Towler on the witness stand. Concannon walking away from him.

CONCANNON
No further questions.

ANGLE

Galvin at the Plaintiff's table, hastily scribbling notes, he looks up. Gets to his feet, walks over to Dr. Towler in the witness box, the CAMERA MOVES WITH him.

GALVIN
Dr. Towler...

TOWLER
Yes.

GALVIN
You have a record of what happened in the operating room...

TOWLER
Yes, that's correct.

GALVIN
...there are notations every thirty seconds...

TOWLER
Yes.

GALVIN
...of the procedures...

TOWLER
Yes, the roving nurse...

GALVIN
But those notations stop...
(consults notes)
...four-and-one-half minutes after Deborah Ann Kaye's...

TOWLER
We, we were rather busy...

GALVIN
Four-and-one-half minutes after her heart stopped.
(beat)
And they resume seven mibutes...

Cont.

TOWLER
As I've said we had some more...

GALVIN
...they start again three minutes earlier...

TOWLER
We had rather more important things on our mind than our taking notes.
(beat)
We were trying to restore her...

GALVIN
What happened in those three...

TOWLER
...we were trying to restore her heartbeat.

GALVIN
What happened in those three minutes...?

TOWLER
(beat; controls himself)
We'd gone to 'Code Blue,' we were administering electro...

GALVIN
Why did it take that long to get her heartbeat...

CONCANNON
(voice over)
Objection, we've...

GALVIN
...to get her heartbeat back...?

CONCANNON
(voice over)
We've touched on this, his own witness has said...

GALVIN
(overriding him)
...almost nine minutes...causing brain damage.

Cont.

CONCANNON
(voice over)
Your Honor...! Your Honor...

TOWLER
Brain damage could have been... it didn't necessarily take nine minutes, it could have been caused in two...

GALVIN
Wait, wait, wait, you're saying that her brain damage could have been caused by her being deprived of oxygen for two minutes...?

TOWLER
Yes.

GALVIN
(contemptuous)
Huh. And why is that?

TOWLER
Because she was anemic.
(beat)
It's right there on her chart. Her brain was getting less oxygen anyway...

Galvin is struck dumb. He has just made a terrible error. He looks at Mickey.

ANGLE - P.O.V.

Mickey looks at Galvin. He shakes his head sadly.

INT. COURTHOUSE CORRIDOR - DR. THOMPSON - DUSK 69

The last of the spectators coming out of the court. Galvin and Dr. Thompson are standing there.

DR. THOMPSON
I didn't do too well for you.

GALVIN
No, you did fine.

DR. THOMPSON
I'm afraid that's not true.
(beat)
Will you want me to stay on till Monday?

Cont.

GALVIN
No. No thank you, Doctor. You go home.

A beat.

DR. THOMPSON
You know...sometimes people can surprise you. Sometimes they have a great capacity to bear the truth.

GALVIN
Yes...I...yes.

They shake hands. Dr. Thompson walks off. Stops.

DR. THOMPSON
You sure you don't want me to stay on.

GALVIN
No. No. Thank you. You go home.

Mickey walks out of the courtroom arranging papers in his briefcase.

MICKEY
I'm going back to the office.

He walks off leaving Galvin standing there alone. Laura comes out of the courtroom. Tentatively, she looks around. Comes up to him.

EXT. COURTHOUSE - STREET - DUSK 70

Laura and Galvin walking.

LAURA
Is it over?

GALVIN
No.

LAURA
What are you going to do?

GALVIN
I don't have a goddamned idea.

INT. GALVIN'S OFFICE - NIGHT 71

Galvin pacing. Mickey seated. Morose.

71 Cont.

GALVIN
Okay. What do you do when you don't have a witness?

MICKEY
(reciting a catechism; dispiritedly)
You use their witness.

GALVIN
That's right.

MICKEY
I think we tried that. The case is over, Joey.

Galvin continues pacing. He will not hear what was just said

MICKEY
And how the fuck...You broke the first rule that they taught you in law school. You never ask a question you don't know the answer to.
(beat)
Joe, Joe, Joe, wake up. You got your own expert witness says there was no negligence. It's over. Period. There'll be no other cases...

Galvin turns on him, animal-like.

GALVIN
There are no other cases. This is the case.
(beat)
Now you decide...
(beat)
Are you in or out...?

INT. CONCANNON'S OFFICE - NIGHT 72

Soft, dim lights. Concannon sitting on a couch. He holds a red-backed file document. His listener is unseen.

CONCANNON
I know how you feel. I know you don't believe me, but I do. I'm going to tell you something I learned when I was your age. I had prepared a case. Mr. White asked me, 'How did you do.'

Cont.

CONCANNON (Cont.)
(beat)
I said, 'I've done my best.'
He said, 'They don't pay you to do your best. They pay you to win.'
(beat)
That's what pays for this office.
(beat)
And that's what pays for the pro bono work that we do for the poor. And for the kind of law that you want to practice. And that's what pays for your clothes and my whiskey, and the leisure that we have to sit back and discuss philosophy.
(beat)
As we're doing tonight.
(beat)
We're paid to win the case.

ANGLE - CONCANNON AND LAURA

Laura sitting across from him, impassive.

CONCANNON
You finished your marriage. You wanted to come back and practice law. You wanted to come back to the world.

A beat.

He hands the red-backed document to her.

ANGLE - THE DOCUMENT

stamped CONCANNON, BARKER, WHITE. Confidential. Eyes only.

CONCANNON
(voice over)
Welcome back.

INT. LAURA'S HOTEL ROOM/CORRIDOR - NIGHT 73

A lonely middle-class hotel corridor. HOLD. HOLD. Laura, tired, enters the corridor from the side and proceeds away from the CAMERA. The CAMERA FOLLOWS her to her door. She stops, takes out her key, tiredly opens the door.

INT. LAURA'S HOTEL ROOM - NIGHT 74

Laura opening the door, looks down, sees something, bends down t pick it up. Straightens up.

ANGLE - INSERT

A hotel envelope, The Hotel Lincoln _____ Boston, Mass. on the letterhead. Laura's hands open the message, take out a shee of yellow legal paper.

ANGLE

Laura closes the door behind her, she does not turn on the light, walks over to a couch by the window, sits down, all the while reading the paper by the outside light. She lowers the paper to her lap.

ANGLE - INSERT

The legal sheet. It reads, handwritten:

Laura. I'm going to try. When this is over can we go away?
Joe.

INT. GALVIN'S OFFICE - NIGHT 75

Mickey on his feet, pacing. Galvin at a blackboard on which is written, "Dr. Towler. Dr. Marx. Admitting Form. Anaesthesia." Etc.

GALVIN
Why doesn't Mary Rooney testify?

Mickey shakes his head.

GALVIN
Are you with me...are you awake...?

MICKEY
Yeah. I'm awake.

GALVIN
Rooney's protecting someone. Who is she protecting?

MICKEY
The Doctors.

GALVIN
She's protecting the Doctors she'd be up there on the stand...

Cont.

MICKEY
(listlessly)
Read me what she said.

Galvin flips through his notes. Reads.

GALVIN
'You guys are a bunch of whores ...uh...loyalty...you don't care who gets hurt...you don't have any loyalty...'

MICKEY
...one of the other nurses?

GALVIN
Who? They're all testifying. Everybody who was in the O.R.'s going to take the stand.

MICKEY
All right. Who wasn't in the O.R.?

GALVIN
What difference can that make...? All right...

He starts checking the charts. Sighs. "This is useless..."

GALVIN
Uh...the admitting nurse...

MICKEY
What did she do?

GALVIN
She didn't do anything. She took the patient's history and signed the charts. 'K.C.'
(looks in notes for what the initials signify)
'Kathy Costello...'

MICKEY
The 'History'...?

GALVIN
(explaining)
How old are you, how many children ...when did you last eat...

INT. ST. CATHERINE LABOURE HOSPITAL CORRIDOR - NIGHT 76

Mary Rooney and another Nurse walking down the corridor carrying foil-covered dishes of food, chatting.

ANGLE

Galvin watching them from behind a corner.

ANGLE

The Nurses come to the corner, Galvin walks past. "Notices" Rooney. Stops.

GALVIN
Miss Rooney. Oh. Listen...
(beat)
I understand what you are doing. And I want you to know it's all right.

He nods, starts off in the direction he was going in.

ROONEY
What are you talking about?

Galvin turns, confused. Goes back to her. Warmly, conciliatory.

GALVIN
About Kathy Costello.
(beat)
I understand, and I don't blame you for shielding her.

A beat.

Mary Rooney motions the other Nurse to go away. She steps closer to Galvin.

GALVIN
I spoke to her, and everything is all right.

ROONEY
I, what are you talking about? I talked to her this morning, and she said...

GALVIN
(nods)
She told me.

Cont.

ROONEY
(credulous)
She did?

GALVIN
I just saw her.

ROONEY
In New York?

GALVIN
What?

ROONEY
You saw Kat in New York...
(beat)
...or is she in town? Is she in town...?

Beat. It occurs to her that she's been duped, as Galvin starts off hurriedly down the hall.

INT. GALVIN'S OFFICE BUILDING CORRIDOR - NIGHT 77

Laura. SEEN from the back, walking down the corridor. CAMERA FOLLOWS her. She stops outside Galvin's door. She turns. We SEE she is carrying a tray of coffee containers. She opens door. CAMERA FOLLOWS her INTO the office. Mickey is on the phone in the vestibule, Galvin is on the phone in his office. He is just hanging up.

GALVIN
(into phone)
Thank you. I'm sorry.

Laura starts distributing coffee. Galvin shouts to Mickey in the far room.

GALVIN
We don't have anything from the Nurse Association?

MICKEY
The broad has disappeared...

GALVIN
The Hospital...?

Laura goes into Galvin's office with coffee. CAMERA FOLLOWS her.

Cont.

MICKEY
No records since she quit in '76. She quit two weeks after the incident.

Laura hands coffee to Galvin.

GALVIN
Thank you.

LAURA
I have to talk to you.

GALVIN
(to Mickey)
Call the A.M.A.
(to Laura)
...I can't talk now.
(to Mickey)
...tell them you're Dr. Somebody
...you have to find this nurse...

MICKEY
...yeah...good...

GALVIN
...you need some old forms that she had...somebody's dying...

Galvin picks up the telephone. Looks down to telephone book in front of him, open on desk.

ANGLE - P.O.V.

New York City telephone directory. Two columns of COSTELLO's. Thirty of them crossed off. Galvin on the phone.

GALVIN
(voice over)
Hello, Mrs. Costello...

ANGLE - GALVIN ON THE PHONE

GALVIN
Sorry to bother you so late.

Laura goes over to the couch, sits. Lights a cigarette.

GALVIN
This is Mr. Goldberg in Accounting. We have some money here for you... This is the Mrs. Costello that used to be a nurse?

Cont.

GALVIN (Cont.)
(beat)
I'm sorry. I think we have our records mixed up.

ANGLE

Laura sitting on the couch. Tense. Smoking.

GALVIN
(voice over)
Are you related to Kathy Costello, the R.N.?...I'm sorry...

We hear Mickey on his phone.

MICKEY
(voice over)
Hello, this is Dr. Dorchester in Boston. This is an emergency. A nurse left my employ...

ANGLE

Laura on the couch. Galvin dialing the phone. Mickey HALF-SEEN in the next room.

MICKEY
...four years ago...

GALVIN
(into phone)
Hello. This is Mr. Dorchester in Records. We're looking for Kathy Costello...

MICKEY
(voice over; in the other room, shouting)
I need a cigarette!
(resumes on-the-phone tone)
She left my office four years ago, we're looking for a chart...
(covers phone, again shouts)
I need a cigarette...

Laura looks around the desk, picks up one then another pack, crushes them, empty. She nods to herself, picks up her coat off the couch in the anteroom, and starts down the hall. Going through the door, she turns, looks back.

ANGLE - P.O.V.

Galvin in the inner office, on the phone.

GALVIN
(into phone)
Thank you. I'll hold.

He looks up. Sees Laura, gives her a half-smile.

INT. GREASY SPOON - NIGHT 78

Near the cash register of an all-night diner in the business district, the deserted streets outside. Laura -- standing next to a wall phone, exhausted. She is handed a cardboard tray with three coffees on it and two packs of Pall Malls and some change by the Proprietor. She takes the change and turns her head to look at the telephone.

INT. GALVIN'S OFFICE - NIGHT 79

Mickey asleep on the couch, coffee containers around him, an ashtray full of butts. Beat. We hear a telephone being dialed.

ANGLE

Galvin, exhausted, smoking, on the telephone.

GALVIN
Hello. This is Ross Williams. I'm calling from California. I'm sorry. I know it's late in the East, but this is an emergency. May I please speak to Kathy Costello?
(beat)
I'm sorry. My records must be confused. This is the family of Kathy Costello...? Please excuse it.

He hangs up. Reaches for a bottle of whiskey on his desk. Pours a shot into a glass. Downs it. His attention is caught by something across the room.

ANGLE - P.O.V.

Laura asleep on the couch, covered in Galvin's overcoat.

ANGLE

Galvin looks gratefully at her. He begins dialing the phone.

INT. GALVIN'S OFFICE - VESTIBULE - DAY 80

A small bundle of mail is pushed through the vertical slot and falls to the floor.

ANGLE

Interior office. Early morning. Galvin asleep with his head on his desk. Mickey asleep in a chair. Laura asleep on the couch, covered with Galvin's overcoat. Galvin wakes up, startled by the sound of the mail dropping. He picks up the phone mechanically. He realizes it is morning and he has been asleep. He replaces phone. He surveys the office. Dead, resigned. He closes the phone book. He reaches in a pack of cigarettes on the desk. It is empty. He roots in the ashtray for a long butt. This disgusts him. He rejects it. Rubs his eyes. Gets up. Goes to the window, stares out. Looks back at the scene in his office. It is over. He stands by Laura and looks down at her, he looks at Mickey. He has let them down. He goes to a cabinet under the lawbooks and takes out a bottle of whiskey and a water glass. He walks into the anteroom. Sighs, sits on the couch near the door. Glances at the several letters that have just fallen through the slot. He pours a half-tumbler full of whiskey, and drains it. He refills the tumbler. He absently picks up the mail and starts mechanically sorting through it. He stops at an official-looking piece.

ANGLE - P.O.V.

The letter, return address, MASSACHUSETTS BAR ASSOCIATION. URGENT.

He lethargically opens the letter. On Bar Association letterhead, it reads: "You are directed to appear on January 15th to show cause why you should not be disbarred. You are permitted to be represented by counsel of your choice, and..."

ANGLE

Galvin reading the letter. He crumbles it and throws it into the wastebasket. He looks at the next letter and skims it into the wastebasket. He looks at the next letter and stops.

ANGLE - P.O.V.

It is a phone bill.

EXT. MARY ROONEY'S TENEMENT - DAY 81

Galvin hurrying up the steps of the tenement. CAMERA FOLLOWS him into the vestibule. It is Mary Rooney's tenement.

INT. MARY ROONEY'S TENEMENT VESTIBULE - DAY 82

He stops by the mailboxes, bends over to read the names.

ANGLE - P.O.V.

The mailboxes: Swoboda; Murch; M. Rooney.

ANGLE

Galvin straightens, looks around the vestibule, takes heavy letter opener from his jacket pocket and pries open the Rooney mailbox. He extracts letters and rifles through them.

ANGLE - P.O.V.

Mary Rooney's phone bill.

INT. DRUGSTORE - DAY 83

Galvin in an old-fashioned sit-down phonebooth in a drugstore. He is dialing the phone, holding the phone bill. The operator answers, he starts dropping change into the slot.

ANGLE

The phone bill opened. It reads, "Rooney, Mary A. 263 Church Street, Arlington, Mass." Various local charges. One call to Chicago. One call to Fort Lauderdale. Eight calls to New York. The calls to New York circled in pen.

FEMALE
(voice over; on phone)
Hello.

ANGLE

Galvin on the phone.

GALVIN
Hello, I'm calling from...

VOICE
(voice over)
If you're selling something, I'm late for work...

GALVIN
I'm calling from Professional Nurse Quarterly...

Cont.

VOICE
(voice over)
From the magazine?

GALVIN
This is Mr. Wallace in Subscriptions?

VOICE
(voice over)
How come you're calling me from...?

GALVIN
This is Miss Costello...?

VOICE
(voice over)
Yes. Price...

GALVIN
Pardon?

VOICE
(voice over)
Kathy Price.

GALVIN
We find that your subscription lapsed...

VOICE
(voice over;
laughs)
My subscription lapsed three years ago...

GALVIN
That's why I'm calling, Miss Price...

VOICE
(voice over)
Missus...

GALVIN
We have a renew-your-subscription offer...

Cont.

83 Cont.1

VOICE
(voice over)
We get it at work. We get the magazine at work.

GALVIN
Yes, we know that you do. I have it in my files. That's at the Manhattan Health Center...

VOICE
(voice over)
No. At Chelsea Childcare. Okay. Look, call me Monday, hey? I'm late for work.

ANGLE

Galvin scribbles on pad as we hear Kathy hanging up. "Kathy Price. Chelsea Childcare."

INT. EASTERN AIRLINES TERMINAL - BOSTON - DAY 84

Galvin hurrying across the lobby. Stops by DO IT YOURSELF SHUTTLE TICKET COUNTER. Takes form, starts to write on it.

ANGLE - P.O.V.

The form "BOSTON-NEW YORK SHUTTLE. SELF SERVICE TICKET."

Galvin filling in his name and address in pencil.

INT. GALVIN'S OFFICE - DAY 85

Laura asleep on the couch. Mickey asleep on the other couch. The phone is ringing. She wakes up. Looks around. Goes groggily to phone, answers.

LAURA
(on phone)
Hello? Mr. Gal...where are you...?

Mickey wakes up, looks around.

LAURA
You're going to New York? I... you're kidding!...Because I'm going to New York.
(beat)
I just got a call. I have to go sign papers. About my divorce. I...good. Joe. We'll meet there. All right?

85 Cont.

Mickey has woken up. Swings his feet to the floor. Picks up a pack of cigarettes. Crushes it. It is empty.

LAURA
Can we meet there, Joe?

Mickey gets to his feet.

MICKEY
(to Laura)
You got a cigarette...?

She shrugs, "I don't know..."

LAURA
(on phone)
At the _____. On Fifty-third Street...we can spend the night.

Mickey has gone over to Laura's purse. Opens it, rummaging. Comes up with a pack of cigarettes. He sees something in the purse. Stops.

ANGLE - P.O.V.

The open purse. The red-backed legal form. The letterhead reads, "CONCANNON, BARKER, WHITE," stamped huge across it in black: "CONFIDENTIAL. EYES ONLY!!!" Mickey takes out the form, turns page. It reads, "Report on Joseph Galvin," lists haunts, habits, and is heavily notated in various types of pen and pencil.

LAURA
(voice over; on phone)
At around four...?

ANGLE

Mickey replacing the form and the cigarettes. He recloses the purse. He turns to her. She has seen nothing.

LAURA
(on phone)
I feel the same way, Joe...I'll see you this afternoon.

She hangs up.

MICKEY
You got any cigarettes?

EXT. CHELSEA CHILDCARE - DAY 86

Two very young children walk across a play area. The door to the play area opens and Joe Galvin, in overcoat, comes in. He looks around the room, starts to walk across it. CAMERA PAN WITH him TO REVEAL a woman, KATHY, who is comforting a crying child. Galvin walks over to her. Stands a respectful distance away. She sees him watching her, looks up.

KATHY
Hi.

GALVIN
Hi. How are you doing?

She nods, happy to be working with the child.

GALVIN
I've been meaning to come in a long time.

KATHY
You live in the neighborhood?

GALVIN
Uh-huh. My nephew's going to be staying with us a few months, so I stopped by.

KATHY
How old is he?

GALVIN
Four. You're great with these kids.

She beams, caught unprepared in something that is a great point of pride with her.

KATHY
Thank you.

GALVIN
You're really...
(stops, remembering something)
You, are you the one they told me was the nurse?

KATHY
Who told you that?

Cont.

GALVIN
(gestures back at the office, vaguely)
Mrs...

KATHY
Mrs. Simmonds.

GALVIN
Yes.

KATHY
(very serious, correct)
I used to be a nurse.

GALVIN
That's a wonderful profession. My daughter-in-law's a nurse. What did you do, stop?

Kathy is lost in thought. This is obviously a very painful subject for her. Beat.

KATHY
Yes.

Galvin, getting involved in a serious conversation, takes off his overcoat, he is going to stay awhile.

GALVIN
How come you stopped?

She is traumatized by the question. The casual conversation has become immediate and painful. She opens her mouth to speak, then stops, staring at Galvin. He doesn't know what she is staring at...something on his jacket. He looks down.

ANGLE - KATHY'S P.O.V.

The shuttle ticket, BOSTON - NEW YORK, stuck in the lapel pocket of Galvin's suitcoat.

ANGLE

Kathy and Galvin. She realizes why he is there. She starts to cry quietly.

GALVIN
(beat; gently dropping his pretense)
Will you help me?

INT. NEW YORK HOTEL RESTAURANT - DAY 87

The restaurant fairly deserted after the lunch crowd. Empty tables -- crisp linen, Laura alone at a table, watching the door, an untouched cup of coffee in front of her.

EXT. NEW YORK HOTEL - DAY 88

The doorman opens the door of a cab.

ANGLE

Mickey Morrissey standing in an alcove under the marquee, looking out at the street.

ANGLE - P.O.V.

The street. Pedestrians. Joe Galvin comes walking hurriedly, smiling, down the street.

ANGLE

Mickey starting down the steps, intercepts Galvin. Galvin looks up, surprised.

GALVIN
What the hell are you doing here?

MICKEY
We got to talk.

He is moving Galvin off down the sidewalk, away from the Hotel. CAMERA STAYS STILL, and their voices get fainter as they move away.

GALVIN
What are you doing in New York...?

MICKEY
Come on, we'll get a cup of coffee...

They continue walking. We cannot hear them. Galvin is becoming agitated. He stops Mickey, they stand there, Mickey very sad, Galvin incredulous, talking to him. Mickey nods. Galvin starts hurriedly back down the street toward the Hotel.

INT. NEW YORK HOTEL RESTAURANT - DAY 89

LONG SHOT of Laura seated at a table alone.

ANGLE

Galvin at the entrance to the restaurant looking at her. He walks over to her slowly.

89 Cont.

ANGLE - CLOSEUP

Laura, looks up, sees him, smiles. Her smile fades, she sees that he knows.

ANGLE

Laura getting up from the table. We SEE her back, and Galvin approaching. We SEE her shoulders droop, beaten. He draws closer. Galvin comes up to her, his face a mask of pain and confusion. She sighs, starts to speak. Stops. Beat. They look at each other -- he starts to speak, cannot. He knocks her to the floor, she upsets the table. A large man at the next table starts to restrain Galvin.

LAURA
(as if in shock)
It's all right...it's all right...
it's all right...it's all right...

INT. EASTERN SHUTTLE PLANE - NIGHT 90

Galvin and Mickey seated next to him, flying home in silence. Mickey smoking a cigarette, Galvin stone-faced, beat.

MICKEY
I talked to Johnnie White at the Bar Association.
(beat)
The broad used to work for one of Concannon's partners in New York awhile ago.
(beat; lamely)
She wanted to move to Boston.
(beat)
How badly did she hurt us, Joe?

GALVIN
I don't know.

A beat.

MICKEY
We got a mistrial, you know. Joe -- did you hear what I said...?

GALVIN
I don't want a mistrial.

INT. MICKEY MORRISSEY'S HOUSE - DAY 91

The doorway to his study. A basketball game dimly SEEN in the half-light. Mickey, o.s.:

91 Cont.

MICKEY
(voice over)
He's not here.
(pause)
Yeah. I don't know when.
(pause)
All right.

Sound of him hanging up a telephone. He enters the frame carrying a bottle of booze, goes through door into study.

CAMERA FOLLOWS him INTO the room. The TV:

ANNOUNCER
(voice over)
The Knicks are pressing hard...
(etc.)

He sits on a sofa opposite the television. Watches the game a beat. Opens the fresh bottle of whiskey and pours a large shot into the almost-empty glass in front of him. Looks to his left. Reaches behind him to some glasses on a shelf, takes one down, pours drink into the new glass, leans to his left, CAMERA MOVES WITH him, and we SEE Galvin sitting in a deep leather armchair, staring. Mickey offers him the drink. Galvin becomes aware of him, shakes his head, "no." Beat. Mickey moves back into his seat, they both stare at the television.

INT. COURTROOM - JUDGE'S P.O.V. - DAY 92

Half full of spectators.

ANGLE

Galvin gets up from Plaintiff's table, takes up a large book as Dr. Towler takes the stands. He reads:

GALVIN
Dr. Towler; page 406,
'Contraindications to general
anaesthetic. Ideally a patient
should refrain from taking
nourishment up to nine hours
prior to induction of general
anaesthetic.' Does that sound
familiar?

DR. TOWLER
Yes. I wrote it.

Galvin shows book.

Cont.

92 Cont.

GALVIN
'Practice and Methodology in Anaesthesia.' General textbook on the subject. Is that correct?

DR. TOWLER
I. Yes. It is.

GALVIN
And you wrote that...

DR. TOWLER
Yes.

GALVIN
(reading)
...Page 414, 'If a patient has taken nourishment within one hour prior to inducement, general anaestbetic should be avoided at all costs because of the grave risk the patient will aspirate food particles into his mask.' Is that what happened to Deborah Ann Kaye? She aspirated into her mask?

DR. TOWLER
She threw up in her mask, yes. But she hadn't eaten one hour prior to admission.

GALVIN
If she <u>had</u> eaten, say one hour prior to admission, the inducement of a general anaestbetic...the type you gave her...would have been negligent...?

DR. TOWLER
Negligent. Yes...it would have been <u>criminal</u>. But that was not the case.

GALVIN
Thank you.

Galvin signals he is done. The Judge signals Dr. Towler to leave the stand, which he does.

Cont.

JUDGE
Mr. Concannon...?

CONCANNON
Nothing further, your Honor.

JUDGE
Mr. Galvin...rebuttal...?

GALVIN
(to Bailiff)
Katherine Price.

The Bailiff calls out her name.

BAILIFF
Katherine Price...

ANGLE

Kathy at the back of the court, coming down the aisle. As she passes the Defendant's table, Towler grabs Marx and starts whispering frantically. Concannon looks on, ignorant of what is happening. We hear Dr. Towler's "Oh, my God..."

ANGLE

Galvin surveys the courtroom, Kathy crosses in front of him, takes the stand, we hear the Bailiff administering the formula as we WATCH Galvin turn and look at the Jurors.

BAILIFF
(voice over)
State your name please.

KATHY
(voice over)
Katherine Lynn Price.

BAILIFF
(voice over)
D'you swear that the evidnece you are about to give will be the truth, the...

ANGLE

The Bailiff swearing in Kathy.

BAILIFF
...whole truth and nothing but the truth, so help you God?

Cont.

KATHY

I do.

BAILIFF

Be seated.

Kathy sits, the Bailiff retires, Galvin walks over to her.

GALVIN

Kathy Price...

KATHY

Yes...

GALVIN

You were the Admitting Nurse at St. Catherine Laboure Hospital on May twelfth, nineteen seventy-six, the night Deborah Ann Kaye was admitted...

KATHY

Yes.

Galvin holds up a form.

GALVIN

You signed this form?

She looks closely at it. Is satisfied.

KATHY

Yes.

GALVIN

These are your initials, 'K.C.'?

KATHY

Kathy Costello. That's my maiden name.

A beat.

GALVIN

D'you ask the patient when did she last eat?

KATHY

Yes.

GALVIN

What did she say?

Cont.

KATHY
She said she had a full meal one hour before coming to the hospital.

GALVIN
One hour.

KATHY
Yes.

GALVIN
And did you write the numeral 'one' down on the record, standing for one hour.

KATHY
I did.

GALVIN
A single hour.

KATHY
Yes.

ANGLE

Galvin walks away from the witness box. He looks at the jury. He turns to look at the spectators. His thoughts are a million miles away. Unconsciously he straightens his tie.

ANGLE

Galvin in front of the dead-still courtroom. He breaks his reverie.

GALVIN
(to Concannon)
Your witness.

Concannon is on his feet as Galvin walks back to his table. Concannon walks over to Kathy and begins forcefully:

CONCANNON
You are aware of the penalties for perjury...?

KATHY
It's a crime.

Cont.

CONCANNON
Yes.
(beat)
It is a crime. A serious crime.

KATHY
I wouldn't do it.

CONCANNON
You would not...?

KATHY
No.

CONCANNON
In fact, you've just taken an oath that you would not commit perjury. You've just sworn to that. Isn't that right?

KATHY
Yes.

CONCANNON
Just now...

KATHY
Yes.

CONCANNON
...sworn before God you would tell the truth?

KATHY
(beat)
Yes.

CONCANNON
Now. I'd like to ask you something: four years ago, when you were working as a nurse, are you aware that Drs. Towler and Marx based their treatment of Deborah Ann Kaye on this chart that you signed...?

KATHY
(beat)
I...

Cont.

CONCANNON
And wasn't that an oath...?
These are your initials here: K.C.
When you signed this chart you
took an oath. No less important
than that which you took today.
(beat)
Isn't that right?
(beat)
Isn't that right...?

KATHY
I...yes.

CONCANNON
Then, please, which is correct?
You've sworn today the patient
ate one hour ago. Four years
ago you swore she ate nine hours
ago? Which is the lie. When
were you lying?

KATHY
I...

CONCANNON
You know these doctors could
have settled out-of-court. They
wanted a trial. They wanted to
clear their names.

GALVIN
Objection!

CONCANNON
And you would come here, and on
a slip of memory four years ago,
you'd ruin their lives.

KATHY
They lied.

CONCANNON
'They lied.' Indeed! When did
they lie? And do you know what
a lie is?

KATHY
I do. Yes.

CONCANNON
(holding chart)
You swore on this form that the
patient ate nine hours ago.

Cont.

KATHY
That's not my handwriting.

CONCANNON
You've just said you signed it.

KATHY
Yes, I, yes, I signed it, yes.
But I, I didn't write that figure.

CONCANNON
You didn't write that figure.
And how is it that you remember
that so clearly after four years?

KATHY
(taking a paper out
of her purse)
Because I kept a copy. I have
it right here.

She looks toward Galvin.

ANGLE

Galvin nods, meaning, "You did it perfectly."

ANGLE

Concannon, the Judge, Kathy.

CONCANNON
Objection! This is ri...
expect us to accept a photocopy,
we have the original right...

JUDGE
I'll rule on that presently.
(beat)
Proceed.

Concannon is taken up short. Amazed at the Judge's reaction, he pauses an instant.

JUDGE
Please proceed.

Concannon motions to Billy, the young lawyer, who nods in response and starts whispering instructions to this colleques at the Defense table, who start leafing through their lawbooks. Concannon takes up the fight again.

Cont.

CONCANNON
...what in the world would induce you to make a photocopy of some obscure record and hold it four years? This is a...why? Why would you do that?

KATHY
I thought I would need it.

CONCANNON
And why, please tell us, would you think that?

KATHY
(beat)
After, after the operation, when that poor girl, she went in a coma. Dr. Towler called me in. He told me he had five difficult deliveries in a row and he was tired, and he never looked at the admittance form.
(beat)
And he told me to change the form. He told me to change the one to a nine.
(beat)
Or else, or else, he said...
(beat; starts to cry)
He said he'd fire me. He said I'd never work again...Who were these men...? Who were these men...? I wanted to be a nurse...

She is weeping copiously. A beat. She starts to get herself under control.

CONCANNON
No further questions.

JUDGE
You may step down.

Beat. Kathy starts to get down. She looks to Galvin for assurance.

ANGLE

Galvin nods at her.

Cont.

JUDGE
(voice over)
Mr. Galvin...?

ANGLE

Kathy getting down from the stand. The Judge addressing Galvin

GALVIN
Nothing further, your Honor...

JUDGE
Mr. Concannon...?

Concannon is signalled by Billy, the young lawyer at the Defense table, who is gathering notes from his collegues, who have been researching during Kathy's speech. Concannon walks over to the table and is quickly "talked through" the notes by Billy.

JUDGE
Mr. Concannon.

Concannon cuts Billy short, meaning, "Yes, I understand, I'm far ahead of you," he takes the notes and returns to the bench.

CONCANNON
Thank you, your Honor. We object to the copy of the admissions form as incompetent and essentially hearsay evidence and cite McGee Versus State of Indiana, U.S. 131 point 2 and 216 through 25 of the Uniform Code: 'The admission of a duplicate document in preference to an existing original must presuppose the possibility of alteration and so must be disallowed.' And, your Honor, having given the Plaintiff the leeway we would like your ruling on this issue now: we object to the admission of the Xerox form.

JUDGE
...one moment, Mr. Concannon...

The Judge nods, meaning, "I am considering..."

ANGLE

The Judge. He is making some notations on a page in front of him. He nods to himself, he has reached a decision. He looks up.

JUDGE
The document is disallowed, the jury will be advised not to consider the testimony of Kathy Costello regarding the Xerox form.
(explains to them)
It's unsubstantiated and we can't accept a copy in preference to the original...

ANGLE

Concannon and the Judge.

CONCANNON
Thank you, your Honor. Further: Ms. Costello is a rebuttal witness. As a 'Surprise Witness' she may only serve to rebut direct testimony. As her only evidentiary rebuttal was the admitting form, which has been disallowed I request that her entire testimony be disallowed and the jury advised that they must totally disregard her appearance here.

Beat.

JUDGE
I'm going to uphold that.

ANGLE

Galvin getting to his feet.

GALVIN
I object, your Honor...

JUDGE
Overruled...

GALVIN
Exception!

JUDGE
Noted. Thank you.
(to Jury)
Miss Costello was a rebuttal witness. Her sole rebuttal was the document, which has been disallowed...

ANGLE

Galvin, silent, fuming, sitting at the table.

JUDGE
(voice over)
Her entire testimony must be stricken from the record. You shouldn't have heard it, but you did. Now, that was my mistake... and you must strike it from your minds, give it no weight.

Galvin takes a sheet of legal paper and starts writing on it.

INT. BISHOP BROPHY'S SUITE - DAY 93

ALITO
Legally it's over. Concannon was brilliant.

BROPHY
Tell me about Kaitlin Costello.

ALITO
There's nothing to tell. It's been stricken from the record.

BROPHY
I know. Did you believe her?

INT. COURTROOM - JUDGE HOYLE'S P.O.V. - FULL COURTROOM - DAY 94

ALL looking slightly to their right.

ANGLE

JUDGE HOYLE
Mr. Galvin...?

ANGLE - GALVIN

in front of the full jury box. Beat.

GALVIN
You know, so much of the time we're lost. We say 'Please, God, tell us what is right. Tell us what's true. There is no justice. The rich win, the poor are powerless...' We become tired of hearing people lie. After a time we become dead. A little dead. We start thinking of ourselves as victims.
(pause)
And we become victims.

Cont.

94 Cont.

GALVIN (Cont.)
(pause)
And we become weak...and doubt ourselves, and doubt our institutions...and doubt our beliefs...we say for example, 'The law is a sham...there is no law...I was a fool for having believed that there was.'
(beat)
But today you are the law. You are the law...And not some book and not the lawyers, or the marble statues and the trappings of the court...all that they are is symbols.
(beat)
Of our desire to be just...
(beat)
All that they are, in effect, is a prayer...
(beat)
...a fervent, and a frightened prayer.

A beat.

ANGLE

Galvin addressing the Jury.

GALVIN
In my religion we say, 'Act as if you had faith, and faith will be given to you.
(beat)
If. If we would have faith in justice, we must only believe in ourselves.
(beat)
And act with justice.
(beat)
And I believe that there is justice in our hearts.
(beat)
Thank you.

He stands still a moment, then surveys the still courtroom.

INT. COURTHOUSE CORRIDOR - DAY 95

Laura in the corridor, watching him.

INT. COURTROOM - DAY 96

The Jurors filing in from the Jury Room.

ANGLE

Concannon, Young Lawyer, Dr. Towler, Dr. Marx at Defense table. Young Lawyer scribbles a note, passes it to Concannon, who ignores it.

ANGLE

Plaintiff's table. Galvin looking at the Jury, Mickey at the other end of the table.

JUDGE
(voice over)
Have you reached a verdict?

FOREMAN
(voice over)
We have, your Honor.

ANGLE

The Jury Box. The Jurors seated, the FOREMAN standing.

FOREMAN
Your Honor, we have agreed to hold for the Plaintiff...but on the size of the award, are we bound...

JUDGE
You are not bound by anything, other than your good judgement, based on the evidence.

ANGLE

Galvin, totally defeated. Nods his head sadly, as if commiserating philosophically, with himself. Mickey looks at him in grief, with sympathy.

FOREMAN
(voice over)
Are we permitted to award an amount greater than the amount the Plaintiff asked for.

Beat.

Galvin slowly raises his head, turns and looks at the Jury. Mickey begins to smile.

Cont.

96 Cont.

JUDGE
(voice over)
Yes. You are.

ANGLE - MICKEY'S P.O.V.

The courtroom, commotion.

JUDGE
(voice over)
Please retire and...

INT. FINAL COURTHOUSE BACK CORRIDOR - DAY 97

Galvin and Mickey standing near a back staircase, cleaning equipment is lying all around. A large, battered garbage can. Mickey is lighting Galvin's cigarette. Galvin's hand shakes badly. Something draws his attention at the end of the corridor. He turns his head.

ANGLE - P.O.V.

Laura, standing at the end of the corridor. Tentative, lost, pleading silently, she holds a sheet of yellow legal paper in her hand.

ANGLE - INSERT - LAURA'S P.O.V.

The paper reads:

'Laura. I'm going to try.
When this is over can we go
away?'
'Joe'
'Thank you'

ANGLE - GALVIN'S P.O.V.

Laura holding the paper.

ANGLE

Galvin and Mickey looking at her. Galvin's face impassive. Beat. He turns his back on her. Mickey does likewise. Beat.

MICKEY
(to Galvin)
The jury might be out for awhile.
(beat; tentatively)
You want to run across the street
and get a drink?

Cont.

97 Cont.

Beat. Galvin puts his arm around Mickey's shoulder. They push through the Exit Door, turning up their collars to the cold. Galvin hesitates a moment as Mickey goes through the door. Beat. He looks back longingly.

ANGLE - GALVIN'S P.O.V.

The deserted corridor.

ANGLE

Galvin standing framed in the doorway. He turns toward the door, his back to the CAMERA, his shoulders slumped. He stands for a moment, sighs, straightens up, and walks through the door.

FADE OUT

THE END